

## **APPENDIX C**

### **AGENCY CORRESPONDENCE**

<b>C-1</b>	<b>Agency Comments:</b> Coordination Plan and Impact Analysis Methodology .....	<b>C-1</b>
<b>C-2</b>	<b>Agency Comments:</b> Coordination Point 1 – Purpose and Need Statement.....	<b>C-12</b>
<b>C-3</b>	<b>Agency Comments:</b> Coordination Point 2 – Range of Alternatives .....	<b>C-23</b>
<b>C-4</b>	<b>Agency Comments:</b> Coordination point 3 – Preferred Alternative .....	<b>C-36</b>
<b>C-5</b>	<b>Agency Comments:</b> Other Correspondence .....	<b>C-59</b>
<b>C-6</b>	<b>Section 106 Coordination.....</b>	<b>C-68</b>
<b>C-7</b>	<b>Section 4(f) Coordination .....</b>	<b>C-89</b>
<b>C-8</b>	<b>PM<sub>2.5</sub> Conformity Hot Spot Analysis Project Summary Form for Interagency Consultation .....</b>	<b>C-93</b>

---



## **C-1 AGENCY COMMENTS: COORDINATION PLAN AND IMPACT ANALYSIS METHODOLOGY**

<p><i>Implementation of the recommended expansion of public transit in Southeastern Wisconsin would also be dependent upon attaining dedicated local funding for public transit. The local share of funding of public transit in Southeastern Wisconsin is provided through county or municipal budgets, and represents about 15 percent of the total operating costs and 20 percent of total capital costs of public transit. Thus, the local share of funding public transit is largely provided by property taxes, and public transit must annually compete with mandated services and projects. Increasingly, due to the constraints in property tax based funding, counties and municipalities have found it difficult to provide funding to address transit needs, and to respond to shortfalls in Federal and State funding. Most public transit systems nationwide have dedicated local funding, typically a sales tax of 0.25 to 1.0 percent, and are not nearly as dependent upon Federal and State funding.</i></p>	
<p>p. 2-8: Clarify section on Regional Transportation Plan 2035's recommendations.</p> <p>Recommends following text:  <i>WisDOT should consider the recommendations in the regional plan, but if at the conclusion of PE the recommendations are different then those included in the regional transportation plan, the plan would be amended to reflect the conclusions of this more detailed level of study. The Regional Plan recommends full implementation of all of the elements of the regional transportation plan, which include public transit, bicycle and pedestrian, TSM, TDM and highway improvements.</i></p>	<p>Text updated</p>
<p>p.2-31: Check dimensions on mainline typical sections.</p>	<p>Exhibit corrected</p>
<p>p.2-36: Correct arrow direction on Diverging Diamond Interchange exhibit.</p>	<p>Exhibit corrected</p>
<p>p. 2-37: Clean up dash lines on Single-Point Interchange exhibit.</p>	<p>Exhibit corrected</p>

I-43 North-South Freeway Corridor Study  
(Silver Spring Drive—WIS 60)  
Milwaukee and Ozaukee Counties  
Project I.D. 1229-04-01

DNR (continued)	3. Fisheries evaluation should consider aquatic organism passage, stream stability and potential impact of highway improvements on existing aquatic habitat.	The I-43 EIS will include the requested information on fishery aspects as well as citations and summaries of applicable information from the SEWRPC and Ozaukee County fish passage and stream stability programs and policies.
	4. Agencies should begin using MOVES2010a and EMFAC2007 for air quality modeling.	As noted in Section 16.2 of the IAM, if a CO analysis is ultimately determined to be required for the I-43 project, the analysis will be done using MOVES2010a. EMFAC2007 is only applicable in California.
City of Mequon DPW (See attached e-mail 9/6/12)	Noted that the Milwaukee Metropolitan Sewerage District (MMSD) is not on participating agency list in CP; assumes they would have interest in IAM Section 12, Water Resources Impact Methodology	9/12/12 E-mail response from WisDOT stating MMSD has been invited to participate on the project's Technical Advisory Committee (TAC) and that WisDOT will coordinate with them throughout the project.
Lac Courte Oreilles Band of Lake Superior Chippewa	WisDOT received a voice message from Russell (Rusty) Barber noting the Lac Courte Oreilles would defer to the Menominee Nation for comments on the I-43 project.	WisDOT sent a follow up e-mail acknowledging Mr. Barber's voice mail and noted that while no response was received from the Menominee Tribe regarding the invitation to become a participating agency in the environmental review process for the I-43 project, both the Lac Courte Oreilles and Menominee Tribes would have an opportunity to be involved in Section 106 aspects of the project (see attached e-mail).





**DEPARTMENT OF THE ARMY**  
ST. PAUL DISTRICT, CORPS OF ENGINEERS  
180 FIFTH STREET EAST, SUITE 700  
ST. PAUL MN 55101-1678

August 30, 2012

REPLY TO  
ATTENTION OF  
Operations  
Regulatory (2010-05252-ADJ)

Ms. Carrie Cooper  
WisDOT Southeast Region  
1001 W. St. Paul Avenue  
Milwaukee, Wisconsin 53203

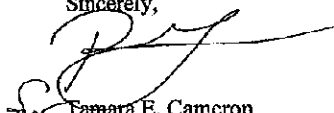
Dear Ms. Cooper:

Thank you for the information submitted regarding the proposed Interstate 43 North-South Freeway Corridor Study (Project ID # 1229-04-01) National Environmental Policy Act (NEPA) document. The North-South Freeway Corridor project area includes approximately 14 miles of freeway corridor leading from Silver Spring Drive (south limit) to WIS 60 (north limit). We received the draft Coordination Plan and the draft Impact Analysis Methodology Documents on August 2, 2012.

Please accept the following comment on the information provided. Based on the corridor proposed for study, it appears that two areas of Primary Environmental Corridor lie within the study area (south of the Pioneer Road interchange and north of the Silver Spring Drive interchange). All wetlands within these areas are considered to be Advanced Identification wetlands (ADID) deemed generally unsuitable for the discharge of fill material. We request that Project Specific Methodology be added to Section 11 of the draft Impact Analysis Methodology Document to address ADID wetlands.

If you have any questions, contact Anthony Jernigan in our Waukesha field office at (262) 717-9544. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

  
Tamara E. Camcron  
Chief, Regulatory Branch

Copy furnished:  
Kenneth Westlake, US Environmental Protection Agency;  
Bethaney Bacher-Gresock, FHWA Wisconsin Division;  
Mike Thompson, WDNR;  
Sherman Banker, Wisconsin State Historical Society.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

SEP 04 2012

REPLY TO THE ATTENTION OF:  
E-199

Carrie Cooper  
Wisconsin Department of Transportation  
Southeast Region  
1001 West St. Paul Avenue  
Milwaukee, Wisconsin 53203

**Re: Draft Agency Coordination Plan and Impact Analysis Methodology for I-43 North-South Freeway Corridor Study (Silver Spring to WIS 60), Milwaukee and Ozaukee Counties, Wisconsin**

Dear Ms. Cooper:

The United States Environmental Protection Agency has reviewed the draft Agency Coordination Plan (CP) and the draft Impact Analysis Methodology (IAM) for the above-mentioned project. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508) and Section 309 of the Clean Air Act.

The Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT) are developing alternatives to address deficiencies along 14-miles of I-43 from Silver Spring Drive to WIS 60 in Milwaukee and Ozaukee Counties, Wisconsin. An Environmental Impact Statement (EIS) will be prepared. EPA agreed to be a participating agency for this project on July 10, 2012.

Draft Agency Coordination Plan

EPA has no comments on the proposed CP and confirms our status as a participating agency.

Draft Impact Analysis Methodology

Section 11 includes a description of the general methodology to analyze wetlands. EPA agrees that the U.S. Army Corps of Engineers (Corps) recommendation to included project-specific methodologies should address Advanced Identification (ADID) wetlands. These areas were selected due to their importance in protecting the Region's surface water quality, floodplains, and overall high environmental quality. If ADID wetlands are affected, the EIS should include a thorough and dedicated discussion of any impacts. WisDOT and FHWA should coordinate with

①

the Wisconsin Department of Natural Resource, EPA and the Corps on any ADID wetland issues.

Section 5.2 of the IAM includes describes the general methodologies to assess indirect and cumulative effects. EPA notes the included language to identify impact-causing activities as a result of the proposed project alternatives. If utility or railroad lines will require relocation as a result of the proposed alternatives, this will be considered a connected action. We remind WisDOT and FHWA that any utility or railroad line relocations, resultant impacts, and mitigation measures should be disclosed in the Draft EIS.

②

Should the Highland Road interchange be analyzed as a proposed alternative any potential induced growth and resultant impacts at that interchange should be disclosed. Proposed mitigation, best management plans, and regional development plans should also be discussed.

③

Thank you in advance for your consideration of our comments. We look forward to reviewing the final CP and IAM and all future NEPA documentation.

Sincerely,



Kenneth A. Westlake  
Chief, NEPA Implementation Section  
Office of Enforcement and Compliance Assurance

cc: Bethaney Bacher-Gresock, Federal Highway Administration, Wisconsin Division  
Jay Waldschmidt, Wisconsin Department of Transportation  
Anthony Jernigan, U.S. Army Corps of Engineers  
Craig Webster, Wisconsin Department of Natural Resources



State of Wisconsin  
Scott Walker, Governor

**Department of Agriculture, Trade and Consumer Protection**  
Ben Brancel, Secretary

September 4, 2012

Ms. Carrie Cooper  
Environmental Planner  
Wisconsin Department of Transportation  
1001 W. St. Paul Avenue  
Milwaukee, WI 53203

Dear Ms. Cooper:

Re: I-43 North-South Freeway Corridor Study  
(Silver Spring Drive to WIS 60)  
Milwaukee and Ozaukee Counties  
WisDOT Project I.D. 1229-04-01

Thank you for the opportunity to comment on the Coordination Plan (CP) and Impact Analysis Methodology (IAM) that have been prepared as part of the environmental review process for the I-43 North-South Freeway Corridor Study in Milwaukee and Ozaukee Counties. I have reviewed both documents and have a few comments.

The CP seems consistent with previous plans that I have reviewed and I have no comment on the CP.

Farmland is located adjacent to I-43 on the northern two-thirds of the project. Some of this farmland is zoned for exclusive agricultural use. It may be instructive to identify in the *Laws, Regulations, Guidelines, and Methodology* section of the IAM, the agricultural issues/laws that could include:

- The Farmland Protection Policy Act of 1981(7 USC 4201-4209).
- FHWA's Technical Advisory 6640.8 A, Guidance for Preparing and Processing Environmental and Section 4(f) Documents (1987).
- WisDOT's Facilities Development Manual (FDM), Chapter 24, Section 10, Agricultural Lands, and Chapter 32.035, Wisconsin Statutes (Agricultural Impact Statement).

*Agriculture generates \$59 billion for Wisconsin*

2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • 608-224-5012 • Wisconsin.gov  
An equal opportunity employer



These documents are intended to identify, estimate and possibly mitigate the impacts of highway projects on agricultural resources.

If the project proceeds and requires the acquisition of farmland, the Department of Agriculture, Trade and Consumer Protection should be notified in order to determine whether an Agricultural Impact Statement will be prepared for the proposed project. If you have any questions regarding this letter, please contact me at 608.224.4650.

Sincerely,

A handwritten signature in black ink that reads "Peter Nauth". The signature is written in a cursive style.

Peter Nauth  
Agricultural Impact Program  
Wisconsin Department of Agriculture,  
Trade and Consumer Protection

**State of Wisconsin**  
**DEPARTMENT OF NATURAL RESOURCES**  
 2300 N. Dr. Martin Luther King, Jr. Drive  
 Milwaukee WI 53212-3128

**Scott Walker, Governor**  
**Cathy Stepp, Secretary**  
 Telephone 608-266-2621  
 Toll Free 1-888-936-7463  
 TTY Access via relay - 711



September 4, 2012

Ms. Carrie Cooper  
 WisDOT Southeast Region  
 1001 W. St. Paul Ave.  
 Milwaukee WI 53203

Dear Ms. Cooper:

Thank you for the opportunity to review and comment on the *Coordination Plan and Impact Analysis Methodology* for the I-43 North-South Freeway Corridor Study (Study), Silver Spring to STH 60, Milwaukee and Ozaukee Counties. The collaborative *Cooperative Agreement between the Wisconsin Department of Natural Resources and Wisconsin Department of Transportation* is described in the *Coordination Plan*. The Department shares the commitment to coordination and planning that protects public health and safety, maximizes the use of existing infrastructure, and conserves resources that support a sustainable high quality of life.

The Department offers the following *Impact Analysis Methodology* comments:

Section 12.3 Water Resources Impact Methodology

Clean Water Act, Section 303(d), impaired water bodies are present within the Milwaukee River Basin and Study area<sup>1</sup>. The Environmental Protection Agency requires a Total Maximum Daily Load (TMDL) analysis for impaired water bodies to establish the pollutant reductions needed to meet water quality goals. The Milwaukee Metropolitan Sewerage District is developing TMDLs as a third party on behalf of the Wisconsin Department of Natural Resources for the Menomonee River, Kinnickinnic River, and Milwaukee River Watersheds, and for the Milwaukee Harbor Estuary. Fecal coliform bacteria, phosphorous, and sediment are the pollutants of interest. Draft Waste Load Allocations will be prepared October 2012. A Draft Implementation Plan is anticipated January 2013. A Final Implementation Plan is expected September 2013. Municipal Separate Storm Sewer System (MS4) permits will incorporate TMDL requirements. The Departments of Natural Resources and Transportation are developing TMDL and MS4 guidance. The Department recommends that the conceptual storm water quality evaluation consider TMDL and MS4 requirements and analyze the potential impact of proposed highway improvements on existing water quality conditions.

1

Flooding concerns are present in the Study area. The Department suggests the conceptual storm water management plan evaluate the potential impact of proposed highway facilities runoff release rates during 100-year and 2-year storm events. This information may assist Milwaukee Metropolitan Sewerage District and adjacent communities' management of flood control infrastructure. The Department acknowledges *TRANS 401 Construction Site Erosion Control and Storm Water Management Procedures for Department of Transportation Actions and Facilities Development Manual* requirements.

2

<sup>1</sup> Milwaukee Metropolitan Sewerage District *Map of Milwaukee River Basin and Impaired Water Bodies*  
[http://v3.mmsd.com/AssetsClient/documents/waterqualityresearch/TMDL/ImpairedWaterBodies\\_MilwBasinTMDL.pdf](http://v3.mmsd.com/AssetsClient/documents/waterqualityresearch/TMDL/ImpairedWaterBodies_MilwBasinTMDL.pdf)



Southeastern Wisconsin Regional Planning Commission Planning Report No. 50, *A REGIONAL WATER QUALITY MANAGEMENT PLAN UPDATE FOR THE GREATER MILWAUKEE WATERSHEDS*, Appendix P, *Criteria and Guidelines for Stream Crossings to Allow Fish Passage and Maintain Stream Stability within the Regional Water Quality Management Plan Update Study Area*, provides resource considerations for bridge and culvert design. Ozaukee County's Milwaukee River Watershed Fish Passage Program has used the design considerations to reconnect 158 stream miles of aquatic habitat in the Study area.<sup>2</sup> The Department suggests that the fishery resources evaluation consider aquatic organism passage, stream stability, and the potential impact of proposed highway improvements on existing aquatic habitat.

3

#### Section 15: Air Quality Impact Methodology

The Environmental Protection Agency recommends that agencies begin using MOVES2010a (Motor Vehicle Emission Simulator) and EMFAC2007 (California Emission Factor) air quality models at the earliest practicable time for transportation conformity, general conformity, and National Environmental Policy Act purposes although the two-year grace period ends March 2, 2013<sup>3</sup>.

4

#### Closing

Thanks again for the opportunity to comment. I look forward to reviewing the Study's *Draft Purpose and Need* statement. Please contact me by telephone (414) 303-3408 or email [MichaelC.Thompson@Wisconsin.gov](mailto:MichaelC.Thompson@Wisconsin.gov) if I can provide further assistance. I'd be glad to meet or speak with you.

Sincerely,



Michael C. Thompson  
Environmental Analysis and Review Team Supervisor  
Northeast and Southeast Regions

Cc: Rebecca Graser, USACE  
Michael Leslie, USEPA  
Tom Slawski, SEWRPC  
Andrew Struck, Ozaukee Co. Planning and Parks Dept.  
Sharon Gayan, DNR  
Randy Schumacher, DNR  
Lloyd Eagan, DNR  
Joe Hoch, DNR  
Mike Halsted, DNR  
Dave Siebert, DNR

<sup>2</sup> Ozaukee County – Fish Passage Program Map [http://www.co.ozaukee.wi.us/planningparks/PlanningParks\\_FP\\_Updates.asp](http://www.co.ozaukee.wi.us/planningparks/PlanningParks_FP_Updates.asp)

<sup>3</sup> EPA, *Using the MOVES and EMFAC Emission Models in NEPA Evaluations*, February 8, 2011, Memorandum <http://www.epa.gov/compliance/resources/policies/nepa/using-the-MOVES-and-EMFAC-emissions-models-in-NEPA-evaluations-pg.pdf>

**From:** Nathan Check <NCheck@ci.mequon.wi.us>  
**Sent:** Thursday, September 06, 2012 7:21 AM  
**To:** Cooper, Carrie - DOT  
**Cc:** Hoff, Steve - DOT; 'Caron Kloser'; 'Mary O'Brien'  
**Subject:** RE: Proj ID: 1229-04-01, I-43 North-South Corridor Impact Analysis Methodology and Coordination Plan

Carrie,  
 I do not see MMSD on the list as an participating agency. I would assume that they would have a significant interest, particularly in Section 12: Water Resources Impact Methodology?

It is good to see that Section 12 includes both Quantity and Quality considerations.

Thank you,  
 Nathan

**Nathan Check, PE**  
*Director of Public Works/City Engineer*  
 City of Mequon  
 262-236-2937

**From:** Cooper, Carrie - DOT <Carrie.Cooper@dot.wi.gov>  
**Sent:** Wednesday, September 12, 2012 3:10 PM  
**To:** 'Nathan Check'  
**Cc:** Hoff, Steve - DOT; 'Caron Kloser'; 'Mary O'Brien'  
**Subject:** RE: Proj ID: 1229-04-01, I-43 North-South Corridor Impact Analysis Methodology and Coordination Plan

Hi Nathan—

Thank you for your comments on the Impact Analysis Methodology and Coordination Plan . MMSD has been invited to participate on our Technical Advisory Committee (TAC) and we will be coordinating with them throughout the project. Thanks,

Carrie

---

Carrie Cooper  
 Wisconsin Department of Transportation  
 1001 W. St. Paul Avenue  
 Milwaukee, WI 53203  
 MOBILE: (414) 750-0753  
 EMAIL : [carrie.cooper@dot.wi.gov](mailto:carrie.cooper@dot.wi.gov)





## **C-2 AGENCY COMMENTS:**

### **COORDINATION POINT 1 – PURPOSE AND NEED STATEMENT**

I-43 Corridor Study  
I.D. 1229-04-01

Draft Alternatives Section  
Summary of Agency Comments and Responses

Agency	Comment	Responses
EPA	Carry forward alternatives with the least impacts to wetlands; avoid ADID wetlands and primary environmental corridors; minimize impacts to Ulao Creek and fish passages	Section 3 of the EIS describes efforts to avoid and minimize impacts to these resources.
Army Corp of Engineers	Please consider and annotate whether alternatives would require stormwater management features	All alternatives would require stormwater management features. Stormwater management is discussed in Subsection 3.10 of the EIS.
	Clarify wetland impacts at Highland Road if interchange is constructed	Wetland impacts are included in Tables 2-1 and 2-2, the alternatives screening summary, in Section 2 of the EIS.
City of Mequon	<p>Mequon suggested changes to sentence in Section 2.4.5 regarding the Highland Road interchange. The sentence in the draft section reads as follows:</p> <p><i>Since the Highland Road interchange would be a new interchange that primarily benefits the surrounding community, WisDOT would require an agreement with the City of Mequon to provide funding for 50 percent of the interchange construction cost. If the city chooses to not provide a local share of funding, the interchange would not be built.</i></p>	<p>WisDOT coordinated with Mequon, and agreed on the following:</p> <p><i>Since the Highland Road interchange would be a new interchange that benefits the surrounding community, WisDOT would require an agreement with the City of Mequon to provide funding for a portion of the interchange construction cost. If the city chooses to not provide a local share of funding, the interchange would not be built.</i></p>
SEWRPC	p. 2-5: Edit footnote to show 10% decrease in transit use between 2006-2012.	Text updated
	<p>p. 2-7: Expand and clarify how transit is funded in Wisconsin and WisDOT role in funding transit.</p> <p><i>Recommends following text: The regional transportation plan notes that implementation of the recommended public transit expansion would be dependent upon the continued commitment of the State to be a partner in the maintenance, improvement and expansion, and attendant funding of public transit. The State has historically funded 40 to 45 percent of transit operating costs, and has increased funding to address inflation in the cost of providing public transit, and to provide for transit improvement and expansion.</i></p>	Text updated

**I-43 North-South Freeway Corridor  
I.D. 1229-04-01**

**Draft Purpose and Need Statement  
Summary of Agency Comments and Responses**

		<p>On page 1-9, it was suggested that the last paragraph on this page be changed to read: <i>The 2035 regional transportation system plan recognizes that the 127 miles of freeway widening proposed in the plan, and in particular the 19 miles of widening in the City of Milwaukee (including IH 94 between the Zoo and Marquette Interchanges), will undergo preliminary engineering and environmental impact studies by WisDOT. The plan acknowledged that during preliminary engineering, alternatives will be considered, including rebuild-as-is, various options of rebuild to modern design standards, compromises to rebuilding to modern design standards, rebuilding with additional lanes, and rebuilding with the existing number of lanes. The plan further acknowledged that only at the conclusion of preliminary engineering would a determination be made as to how the freeway would be reconstructed.</i></p>	<p>Incorporated text with appropriate references to I-43.</p>
Wisconsin Historical Society (SHPO)	12/27/2012	No comment at this time, will provide comment with submission of Section 106 materials	
U.S. EPA	12/31/2012	No comments at this time	
Wisconsin DNR	1/4/2013	Concur on purpose and need	

**State of Wisconsin**  
DEPARTMENT OF NATURAL RESOURCES  
2300 N. Dr. Martin Luther King, Jr. Drive  
Milwaukee WI 53212-3128

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



January 4, 2013

Ms. Carrie Cooper  
Wisconsin Department of Transportation  
1001 W. St. Paul Avenue  
Milwaukee WI 53203

**Subject: WDNR Concurrence with Purpose and Need, I-43 Corridor Study, State ID: 1229-04-01**

Dear Ms. Cooper:

Thank you for the opportunity to comment on the Draft Purpose and Need for the IH-43 North-South Corridor Study, Silver Spring Drive to State Highway 60, Milwaukee and Ozaukee Counties. The Department concurs with the Purpose and Need for the project and that safety, deteriorating bridges and pavement, obsolete design, traffic demand and efficient regional transportation system operations must be addressed. The project will also accommodate future traffic volumes at an acceptable level of service, provide safe and reasonable local access and accommodate local and existing and planned bicycle and pedestrian facilities. I have attached an agency letter of initial review dated November 6th, 2012, which details environmental factors that should be taken into consideration during the design and construction phases of the project.

The Departments of Natural Resources and Transportation collaborate during transportation planning to develop projects that meet transportation needs, minimize adverse environmental impacts, maximize use of existing infrastructure, and consider stakeholder input and public opinion. The Department is committed to cooperation and planning to protect public health, safety, and the environment while conserving resources that support a sustainable, high quality of life.

Please contact me at (414) 263-8517 or [Kristina.betzold@Wisconsin.gov](mailto:Kristina.betzold@Wisconsin.gov) if I can provide further information or assistance. I would be glad to meet or speak with you.

Sincerely,

*Kristina Betzold*

Kristina Betzold  
Environmental Analysis and Review Specialist



**DEPARTMENT OF THE ARMY**  
ST. PAUL DISTRICT, CORPS OF ENGINEERS  
190 FIFTH STREET EAST, Suite 700  
ST. PAUL, MN 55101-1678  
**DEC 20 2012**

REPLY TO

Operations - Regulatory (2010-05252-ADJ)

Ms. Carrie Cooper  
WisDOT Southeast Region  
1001 W. St. Paul Avenue  
Milwaukee, Wisconsin 53203

Dear Ms. Cooper:

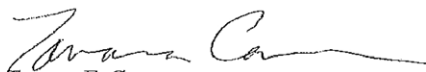
We have completed our review of the Draft Purpose and Need Statement prepared for the Interstate 43 North - South Corridor Environmental Impact Statement (WisDOT Project I.D. 1229-04-01), received November 20, 2012. The study area is between Silver Spring Drive (south limit) to State Trunk Highway 60 (north limit) in Milwaukee and Ozaukee Counties, Wisconsin.

We concur with the November 2012 Draft Purpose and Need Statement. However, we would prefer that each main heading in the need section be reorganized to directly correlate to each of the seven purpose bullet points. The overall project purpose drafted for inclusion in the proposed I-43 North - South Corridor Environmental Impact Statement is to:

- Provide a facility that meets modern design standards;
- Replace deteriorated concrete;
- Improve safety and traffic operations on the I-43 freeway mainline and its interchanges;
- Accommodate future traffic volumes at an acceptable level of service;
- Maintain a vital link in the state and regional transportation network;
- Provide safe and reasonable local access while preserving freeway operations and safety; and
- Accommodate local existing and planned bicycle and pedestrian facilities.

Please continue to coordinate with our agency as you proceed with drafting the Environmental Impact Statement. If you have any questions, contact Anthony Jernigan in our Waukesha office at (262) 717-9544. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,



Tamara E. Cameron  
Chief, Regulatory Branch

Copy Furnished:  
Kenneth Westlake, US Environmental Protection Agency;  
Bethaney Bacher-Gresock, FHWA Wisconsin Division;  
Mike Thompson, WDNR.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

DEC 31 2012

REPLY TO THE ATTENTION OF:

E-19J

Bethaney Bacher-Gresock  
Federal Highway Administration – Wisconsin  
525 Junction Road  
Madison, Wisconsin 53717

Re: **Draft Purpose and Need Statement, I-43 North-South Corridor Project, Milwaukee and Ozaukee Counties, Wisconsin**

Dear Ms. Bacher-Gresock:

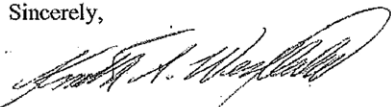
The U.S. Environmental Protection Agency has received the request for comments on the draft Purpose and Need for the above-mentioned project. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The Wisconsin Department of Transportation (WisDOT) and the Federal Highway Administration (FHWA) are proposing to address structural and system deficiencies along I-43 between Silver Spring Drive in the City of Glendale and WIS 60 in the Village of Grafton. Proposed improvements aim to improve safety and traffic operations, accommodate future traffic volumes at an appropriate level of service, and design a facility that meets modern standards.

At this time, EPA has no comments on the draft Purpose and Need Statement. We appreciate the opportunity to provide comments related to the proposed project throughout the entire process. We look forward to receiving future NEPA documents.

Should you have any questions, please do not hesitate to contact me or Elizabeth Poole of my staff at (312) 353-2087 or [poole.elizabeth@epa.gov](mailto:poole.elizabeth@epa.gov).

Sincerely,



Kenneth A. Westlake  
Chief, NEPA Implementation Section  
Office of Enforcement and Compliance Assurance

cc: Carrie Cooper, WisDOT  
Anthony Jernigan, USACE  
Michael Thompson, WDNR  
Kimberly Cook, WHS

## Wauck, Monica T - DOT

---

**From:** Cooper, Carrie - DOT [Carrie.Cooper@dot.wi.gov]  
**Sent:** Friday, December 28, 2012 8:28 AM  
**To:** Wauck, Monica T - DOT; Mary O'Brien (tem@tds.net); Caron Kloser  
**Cc:** Hoff, Steve - DOT  
**Subject:** FW: I-43 North-South Agency Meeting

FYI...

---

Carrie Cooper  
 Wisconsin Department of Transportation  
 1001 W. St. Paul Avenue  
 Milwaukee, WI 53203  
 MOBILE: (414) 750-0753  
 EMAIL : [carrie.cooper@dot.wi.gov](mailto:carrie.cooper@dot.wi.gov)

---



---

**From:** Cook, Kimberly A - WHS  
**Sent:** Thursday, December 27, 2012 3:41 PM  
**To:** Cooper, Carrie - DOT  
**Subject:** RE: I-43 North-South Agency Meeting

Hello Ms. Cooper,

I've been following along with the materials you've been providing - thank you for those. To date, I've had no questions or concerns. The 106 segment in the Impact Analysis Methodology document (Section 7) did a fine job of summarizing what needs to be done. SHPO is eager to see the 106 materials and the results of the surveys. It appears from the agenda that it might be a little early for our participation, unless you feel I would need to be there to answer questions regarding the Section 106 process. I see that there are several experienced WisDOT regional people as well as Ms. Bacher-Gresock from FHWA who were also invited and are familiar with the process.

I will certainly attend if you feel it would be helpful. Otherwise, I would very much like to attend a meeting after the architecture/history and archaeological surveys have been completed.

It's nice to meet you and again, thank you for the materials you've been providing. The Cultural Resources Team at WisDOT will also be proving some of the materials when they submit their 106 packet to us for review, but I do appreciate the early look.

Kim

Kimberly Zunker Cook  
 Wisconsin Historical Society  
 Division of Historic Preservation and Public History  
 Room 300  
 816 State Street  
 Madison, WI 53706  
 608-264-6493

Collecting, Preserving and Sharing Stories Since 1846





-----Original Appointment-----

**From:** Cooper, Carrie - DOT

**Sent:** Friday, December 21, 2012 2:24 PM

**To:** [apederson@bayside-wi.gov](mailto:apederson@bayside-wi.gov); Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; Elizabeth Poole; Hiebert, Christopher; [jbrunnquell@village.grafton.wi.us](mailto:jbrunnquell@village.grafton.wi.us); 'Jernigan, Anthony D MVP'; Kenneth Westlake; Maslowski, Richard; Nauth, Peter L - DATCP; [ncheck@ci.mequon.wi.us](mailto:ncheck@ci.mequon.wi.us); Rebecca M MVP Graser ([Rebecca.M.Graser@usace.army.mil](mailto:Rebecca.M.Graser@usace.army.mil)); [srobertson@vil.fox-point.wi.us](mailto:srobertson@vil.fox-point.wi.us); Thomas Meaux; Thompson, Michael C - DNR; Yunker, Ken; Mary O'Brien ([tem@tds.net](mailto:tem@tds.net)); CKloser@HNTB.com; Hoff, Steve - DOT; Wauck, Monica T - DOT; Stankevich, Paul; Nag, Manojoy - DOT; Bethaney Bacher-Gresock ([Bethaney.Bacher-Gresock@dot.gov](mailto:Bethaney.Bacher-Gresock@dot.gov)); Waldschmidt, Jay - DOT; Lee, Scott - DOT

**Subject:** I-43 North-South Agency Meeting

**When:** Wednesday, January 30, 2013 10:00 AM-12:00 PM (GMT-06:00) Central Time (US & Canada).

**Where:** 1001 West St. Paul Avenue, Milwaukee, WI, Wisconsin Room, Conference line 1-888-557-8511 Access 7110423 Host 1748

When: Wednesday, January 30, 2013 10:00 AM-12:00 PM (UTC-06:00) Central Time (US & Canada).

Where: 1001 West St. Paul Avenue, Milwaukee, WI, Wisconsin Room, Conference line 1-888-557-8511 Access 7110423 Host 1748

Note: The GMT offset above does not reflect daylight saving time adjustments.

\*~\*~\*~\*~\*~\*~\*~\*~\*~\*

Season's Greetings and Happy New Year! The next I-43 North-South Corridor Agency meeting has been scheduled for Wednesday, January 30<sup>th</sup> from 10:00am to noon in our WisDOT Milwaukee Office at:

1001 West St. Paul Avenue, Milwaukee, WI

2<sup>nd</sup> floor, Wisconsin Room

There is plenty of free parking in the lot.

Conference call number:

1-888-557-8511

Access 7110423

Host 1748

At the meeting we will discuss:

- Comments on the Purpose and Need
- Initial alternatives for I-43 and Interchanges in the corridor
- Next steps in the Environmental process for the I-43 North-South Corridor Study

Just a reminder to please send me your comments on the draft Purpose and Need. Also, a Public Information Meeting (PIM) will be held on the evening of our agency meeting. Here are the PIM details:

I-43 North-South Corridor Study Public Information Meeting #2

January, 30<sup>th</sup> from 5:00pm to 8:00pm

Nicolet High School - 6701 N. Jean Nicolet Rd. Glendale, WI - Cafeteria

Project website: <http://www.dot.wisconsin.gov/projects/seregon/43/index.htm>



## Wauck, Monica T - DOT

**From:** Hiebert, Christopher T. [CHIEBERT@SEWRPC.org]  
**Sent:** Friday, December 21, 2012 10:27 AM  
**To:** 'Cooper, Carrie - DOT'  
**Cc:** Cox, Carrie L - DOT; Waldschmidt, Jay - DOT; Lee, Scott - DOT; Berghammer, Donald - DOT; Nag, Manojoy - DOT; Hoff, Steve - DOT; Becherer, Mark; Caron Kloser; Mary O'Brien (tem@tds.net); Wauck, Monica T - DOT; Bethaney Bacher-Gresock (Bethaney.Bacher-Gresock@dot.gov); Shemwell, Wesley; Blankenship, Tracey; Nguyen, David - DOT; apederson@bayside-wi.gov; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; Elizabeth Poole; jbrunnquell@village.grafon.wi.us; 'Jernigan, Anthony D MVP'; Kenneth Westlake; Maslowski, Richard; Nauth, Peter L - DATCP; ncheck@ci.mequon.wi.us; Rebecca M MVP Graser (Rebecca.M.Graser@usace.army.mil); srobertson@vil.fox-point.wi.us; Thomas Meaux; Thompson, Michael C - DNR; Yunker, Ken; Hoel, Ryan W.  
**Subject:** RE: I-43 North-South Corridor Study DRAFT Purpose and Need Statement, Proj ID: 1229-04-01  
**Attachments:** Comments on IH 43 N-S Corridor Study (00208830).pdf

Carrie,

Commission staff appreciates the opportunity to comment on the draft purpose and need statement for the IH 43 North-South study. We have reviewed the document and have the following suggested changes to the draft document:

On page 1, the second to last sentence in the last paragraph which reads, *"Also, the Southeast Regional Planning Commission (SEWRPC) originally defined the limits of the I-43 North-South Freeway Corridor in its study, A Regional Freeway System Reconstruction Plan for Southeastern Wisconsin, Planning Report #47"* should be removed from the text. The segments described in the regional freeway reconstruction study were developed to conduct conceptual design analyses and were not intended to be used as justification for the logical termini for subsequent projects.

On page 5, it is suggested that additional detail be provided with regard to interchange spacing within the study corridor beyond that of the spacing of Highland Road, which has no interchange, between the Mequon Road and Pioneer Road Interchanges.

On page 8, it is suggested that the second sentence be removed, as the first sentence, which we would assume is based on the current condition of the roadway, already states that the pavement has exceeded its life expectancy. In addition, the freeway reconstruction study, completed in 2003, *projected* that this segment of freeway would likely need reconstruction between 2006 and 2010. The report can't be used to make the statement that the pavement *reached* the end of its useful life between 2006 and 2010, this can only be determined through a field inspection, which the first sentence already addresses.

On page 31, it is suggested that the color scheme used to show level-of-service in Exhibit 1-12 be the same as the color scheme used in Exhibit 1-13.

Beginning on page 36 and continuing through page 37, it is suggested that the text related to the regional freeway reconstruction plan, 2035 land use plan, and 2035 transportation system plan be replaced with the text from the IH 94 East-West study draft purpose and need statement. The text from the IH 94 draft purpose and need statement begins on page 1-7 with the text under 1.3.1 and continues through page 1-10 and does not include the discussion of the 2013-2016 transportation improvement program. This text would need to be modified to address IH 43 rather than IH 94. I have included an excerpt from the draft we received as an attachment to this e-mail. This section of text should be modified to include comments we provided on the IH 94 draft purpose and need:

On page 1-7, it was suggested that the first two sentences of the second paragraph under the heading "1.3.1 Land Use and Transportation Planning" be changed to read:

SEWRPC's principal responsibility is to prepare an advisory comprehensive plan for the physical development of the region, including a regional land use plan, which is the basis of all other plan elements, including transportation.

On page 1-9, it was suggested that the last paragraph on this page be changed to read:

The 2035 regional transportation system plan recognizes that the 127 miles of freeway widening proposed in the plan, and in particular the 19 miles of widening in the City of Milwaukee (including IH 94 between the Zoo and Marquette interchanges), will undergo preliminary engineering and environmental impact studies by WisDOT. The plan acknowledged that during preliminary engineering, alternatives will be considered, including rebuild-as-is, various options of rebuild to modern design standards, compromises to rebuilding to modern design standards, rebuilding with additional lanes, and rebuilding with the existing number of lanes. The plan further acknowledged that only at the conclusion of preliminary engineering would a determination be made as to how the freeway would be reconstructed.

Please contact our office with any questions regarding our suggested changes to the draft purpose and need statement.

Sincerely,

Christopher T. Hiebert, P.E.  
Chief Transportation Engineer  
Southeastern Wisconsin Regional Planning Commission  
W239 N1812 Rockwood Drive  
P.O. Box 1607  
Waukesha, WI 53187-1607  
Phone: (262)547-6722 x 227  
Fax: (262)547-1103  
chiebert@sewrpc.org

**From:** Cooper, Carrie - DOT [mailto:Carrie.Cooper@dot.wi.gov]  
**Sent:** Tuesday, November 20, 2012 1:20 PM  
**To:** apederson@bayside-wi.gov; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; Elizabeth Poole; Hiebert, Christopher T.; jbrunnquell@village.grafton.wi.us; Jernigan, Anthony D MVP; Kenneth Westlake; Maslowski, Richard; Nauth, Peter L - DATCP; ncheck@ci.mequon.wi.us; Rebecca M MVP Graser (Rebecca.M.Graser@usace.army.mil); srobertson@vil.fox-point.wi.us; Thomas Meaux; Thompson, Michael C - DNR; Yunker, Kenneth R.  
**Cc:** Cox, Carrie L - DOT; Waldschmidt, Jay - DOT; Lee, Scott - DOT; Berghammer, Donald - DOT; Nag, Manojoy - DOT; Hoff, Steve - DOT; Becherer, Mark; CKloser@HNTB.com; Mary O'Brien (tem@tds.net); Wauck, Monica T - DOT; Bethaney Bacher-Gresock (Bethaney.Bacher-Gresock@dot.gov); Shemwell, Wesley; Blankenship, Tracey; Nguyen, David - DOT  
**Subject:** I-43 North-South Corridor Study DRAFT Purpose and Need Statement, Proj ID: 1229-04-01

Good Afternoon—

Attached you will find the DRAFT I-43 North-South Corridor Purpose and Need statement. As a Cooperating or Participating agency for the study, please review the DRAFT Purpose and Need statement and provide comments back to me on or before **Friday, December 21<sup>st</sup>**. A revised Purpose and Need statement, incorporating changes based on your comments we receive, will be sent back to you in early January. The Purpose and Need statement will become Section 1 of the Environmental Impact Statement (EIS) for the corridor study. Also, the Purpose and Need will shape the range of alternatives developed and evaluated for the I-43 North-South Freeway Corridor study, ultimately leading to the preferred alternative for the corridor.

**Other upcoming activities:**



Our next Public information Meetings (PIMs) are scheduled for the late afternoon of **Wednesday, January 30<sup>th</sup> at Nicolet High School and Thursday, January 31<sup>st</sup>**(location in Ozaukee County to be determined).

The next agency meeting is scheduled **for January 30<sup>th</sup>** (the same date as a PIM) at WisDOT's downtown office at 1001 West St. Paul Avenue in Milwaukee, in the Wisconsin Room. I will be sending you an outlook appointment with more information. At that meeting, you will have an opportunity to further discuss the Purpose and Need, review the initial alternatives for I-43 and Interchanges in the corridor, and the plan for the next steps in the Environmental process for the I-43 North-South Corridor study.

Feel free to contact me if you have any questions or comments on the I-43 North-South Corridor Study.

Thank you for your continued participation in the study.

Sincerely,

Carrie

---

Carrie Cooper  
Wisconsin Department of Transportation  
1001 W. St. Paul Avenue  
Milwaukee, WI 53203  
MOBILE: (414) 750-0753  
EMAIL : [carrie.cooper@dot.wi.gov](mailto:carrie.cooper@dot.wi.gov)

---



## **C-3 AGENCY COMMENTS: COORDINATION POINT 2 – RANGE OF ALTERNATIVES**

I-43 Corridor Study  
I.D. 1229-04-01

Draft Alternatives Section  
Summary of Agency Comments and Responses

Agency	Comment	Responses
EPA	Carry forward alternatives with the least impacts to wetlands; avoid ADID wetlands and primary environmental corridors; minimize impacts to Ulao Creek and fish passages	Section 3 of the EIS describes efforts to avoid and minimize impacts to these resources.
Army Corp of Engineers	Please consider and annotate whether alternatives would require stormwater management features	All alternatives would require stormwater management features. Stormwater management is discussed in Subsection 3.10 of the EIS.
	Clarify wetland impacts at Highland Road if interchange is constructed	Wetland impacts are included in Tables 2-1 and 2-2, the alternatives screening summary, in Section 2 of the EIS.
City of Mequon	<p>Mequon suggested changes to sentence in Section 2.4.5 regarding the Highland Road interchange. The sentence in the draft section reads as follows:</p> <p><i>Since the Highland Road interchange would be a new interchange that primarily benefits the surrounding community, WisDOT would require an agreement with the City of Mequon to provide funding for 50 percent of the interchange construction cost. If the city chooses to not provide a local share of funding, the interchange would not be built.</i></p>	<p>WisDOT coordinated with Mequon, and agreed on the following:</p> <p><i>Since the Highland Road interchange would be a new interchange that benefits the surrounding community, WisDOT would require an agreement with the City of Mequon to provide funding for a portion of the interchange construction cost. If the city chooses to not provide a local share of funding, the interchange would not be built.</i></p>
SEWRPC	p. 2-5: Edit footnote to show 10% decrease in transit use between 2006-2012.	Text updated
	<p>p. 2-7: Expand and clarify how transit is funded in Wisconsin and WisDOT role in funding transit.</p> <p><i>Recommends following text: The regional transportation plan notes that implementation of the recommended public transit expansion would be dependent upon the continued commitment of the State to be a partner in the maintenance, improvement and expansion, and attendant funding of public transit. The State has historically funded 40 to 45 percent of transit operating costs, and has increased funding to address inflation in the cost of providing public transit, and to provide for transit improvement and expansion.</i></p>	Text updated

	<p><i>Implementation of the recommended expansion of public transit in Southeastern Wisconsin would also be dependent upon attaining dedicated local funding for public transit. The local share of funding of public transit in Southeastern Wisconsin is provided through county or municipal budgets, and represents about 15 percent of the total operating costs and 20 percent of total capital costs of public transit. Thus, the local share of funding public transit is largely provided by property taxes, and public transit must annually compete with mandated services and projects. Increasingly, due to the constraints in property tax based funding, counties and municipalities have found it difficult to provide funding to address transit needs, and to respond to shortfalls in Federal and State funding. Most public transit systems nationwide have dedicated local funding, typically a sales tax of 0.25 to 1.0 percent, and are not nearly as dependent upon Federal and State funding.</i></p>	
	<p>p. 2-8: Clarify section on Regional Transportation Plan 2035's recommendations.</p> <p>Recommends following text:  <i>WisDOT should consider the recommendations in the regional plan, but if at the conclusion of PE the recommendations are different then those included in the regional transportation plan, the plan would be amended to reflect the conclusions of this more detailed level of study. The Regional Plan recommends full implementation of all of the elements of the regional transportation plan, which include public transit, bicycle and pedestrian, TSM, TDM and highway improvements.</i></p>	Text updated
	p.2-31: Check dimensions on mainline typical sections.	Exhibit corrected
	p.2-36: Correct arrow direction on Diverging Diamond Interchange exhibit.	Exhibit corrected
	p. 2-37: Clean up dash lines on Single-Point Interchange exhibit.	Exhibit corrected



**Wauck, Monica T - DOT**

---

**From:** Jernigan, Anthony D MVP [Anthony.D.Jernigan@usace.army.mil]  
**Sent:** Thursday, August 15, 2013 7:34 AM  
**To:** Wauck, Monica T - DOT  
**Cc:** 'Bethaney Bacher-Gresock (Bethaney.Bacher-Gresock@dot.gov)'; Webb, Charlie  
**Subject:** comments on draft Section 2 of the EIS (UNCLASSIFIED)

Classification: UNCLASSIFIED  
 Caveats: NONE

We have reviewed the alternatives presented in the "draft Section 2 of the EIS". Please accept the following comments on the information provided.

-Please consider and annotate whether alternatives would require stormwater management features that would impact waters of the US (WOUS) and incorporate the generalized area into WOUS impacts.

-Table 2-2 indicates there will be wetland impacts associated with the Highland Road interchange while the text in Section 2.4.5 indicates the Tight Diamond will avoid wetland impacts. Please clarify the impacts. Also, if there are impacts to WOUS, are there any other designs that would eliminate or minimize the impacts?

-Thank you for depicting the alternatives and the categories used to compare alternatives in a tabular format that is reader-friendly. Going forward, I recommend indicating whether ADID wetlands are impacted when screening for a preferred alternative.

Thank you again for the opportunity to comment on the draft Section 2 of the EIS. Please contact us should you have any questions. We look forward to continuing to work with you on development of the EIS for this proposal.

Anthony Jernigan, CHMM, PG  
 Physical Scientist/ Project Manager  
 US Army Corps of Engineers  
 St. Paul District  
 Regulatory Branch  
 20711 Watertown Rd., Suite F  
 Waukesha, WI 53186  
 Phone: 651-290-5729  
 Fax: 262-717-9549

Classification: UNCLASSIFIED  
 Caveats: NONE

**Wauck, Monica T - DOT**

**From:** Poole, Elizabeth [Poole.Elizabeth@epa.gov]  
**Sent:** Thursday, August 08, 2013 4:19 PM  
**To:** Wauck, Monica T - DOT  
**Cc:** Bethaney.Bacher-Gresock@dot.gov  
**Subject:** RE: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)

Monica –

We have no comments on the Draft Alternatives.

Thanks,  
 Elizabeth

Elizabeth Poole  
 Environmental Scientist  
 NEPA Implementation Section  
 U.S. Environmental Protection Agency  
 77 W Jackson Blvd. E-19J  
 Chicago, IL 60604  
 phone: 312-353-2087

---

**From:** Wauck, Monica T - DOT [mailto:Monica.Wauck@dot.wi.gov]  
**Sent:** Thursday, August 08, 2013 7:22 AM  
**To:** 'apederson@bayside-wi.gov'; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; Poole, Elizabeth; Hiebert, Christopher; 'jbrunnquell@village.grafton.wi.us'; 'Jernigan, Anthony D MVP'; Westlake, Kenneth; 'Maslowski, Richard'; Nauth, Peter L - DATCP; 'hcheck@ci.mequon.wi.us'; 'Rebecca M MVP Graser (Rebecca.M.Graser@usace.army.mil)'; 'srobertson@vil.fox-point.wi.us'; 'Thomas Meaux'; Thompson, Michael C - DNR; Yunker, Ken  
**Cc:** 'Chief Tom Czaja'; 'Alex Henderson'; 'Eastman, Dave'; Kitchel, Lisie - DNR; 'Mary O'Brien (tem@tds.net)'; 'CKloser@HNTB.com'; Hoff, Steve - DOT; Stankevich, Paul; Nag, Manojoy - DOT; 'Bethaney Bacher-Gresock ()'; Waldschmidt, Jay - DOT; Lee, Scott - DOT; Becherer, Mark; 'pat.allen@ch2m.com'; Berghammer, Donald - DOT; Treazise, Michael - DOT; Nguyen, David - DOT; DOT DTSD SE SEF I43NS Doc Control  
**Subject:** RE: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)  
**Importance:** High

Good morning—

This is a reminder that comments on the draft Alternatives section for the I-43 Corridor Study are due a week from today, on Thursday, August 15<sup>th</sup>. Please email any comments your agency may have on or before that date. A few agencies have already submitted comments, and I thank you for your prompt responses.

Also, please consider attending one of the upcoming Public Involvement Meetings. An invitation was sent to you recently. We will be holding two meetings on the study, one on Tuesday, August 20<sup>th</sup> at St. Eugene's in Fox Point and the other on Thursday, August 22<sup>nd</sup> at Christ Church in Mequon. The meeting is from 4pm-7pm each night, and each will cover the same information.

Thank you for your continued participation in this important study. We look forward to receiving your comments. If you have any questions, please do not hesitate to call or email.



Thank you--

**Monica Wauck**  
Environmental Planner, I-43 Corridor Study

Wisconsin Department of Transportation  
1001 W. St. Paul Avenue, Milwaukee, WI 53233

[monica.wauck@dot.wi.gov](mailto:monica.wauck@dot.wi.gov) | 414-750-4742

<http://www.dot.wisconsin.gov/projects/sereion/43/>

---

**From:** Wauck, Monica T - DOT

**Sent:** Monday, July 15, 2013 1:06 PM

**To:** 'apederson@bayside-wi.gov'; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; 'Elizabeth Poole'; Hiebert, Christopher; 'jbrunnquell@village.grafton.wi.us'; 'Jernigan, Anthony D MVP'; 'Kenneth Westlake'; 'Maslowski, Richard'; Nauth, Peter L - DATCP; 'ncheck@ci.mequon.wi.us'; 'Rebecca M MVP Graser ([Rebecca.M.Graser@usace.army.mil](mailto:Rebecca.M.Graser@usace.army.mil))'; 'srobertson@vil.fox-point.wi.us'; 'Thomas Meaux'; Thompson, Michael C - DNR; Yunker, Ken

**Cc:** 'Chief Tom Czaja'; 'Alex Henderson'; 'Eastman, Dave'; Kitchel, Lisie - DNR; 'Mary O'Brien ([tem@tds.net](mailto:tem@tds.net))'; 'CKloser@HNTB.com'; Hoff, Steve - DOT; Stankevich, Paul; Nag, Manojoy - DOT; 'Bethaney Bacher-Gresock ([Bethaney.Bacher-Gresock@dot.gov](mailto:Bethaney.Bacher-Gresock@dot.gov))'; Waldschmidt, Jay - DOT; Lee, Scott - DOT; Becherer, Mark; 'pat.allen@ch2m.com'; Berghammer, Donald - DOT; Treazise, Michael - DOT; Nguyen, David - DOT; DOT DTSD SE SEF I43NS Doc Control

**Subject:** I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)

**Importance:** High

Good afternoon--

Attached is a description of the range of alternatives considered by FHWA and WisDOT for the I-43 North-South (Silver Spring Drive - WIS 60) Study Corridor. This document is the draft Section 2 of the EIS. As noted in the document, some alternatives considered have been dropped, while others may be dropped as the study continues forward. If you would like to reference the project purpose and need statement, you can find it on WisDOT's website: <http://www.dot.wisconsin.gov/projects/sereion/43/need.htm>

As discussed at the January 30<sup>th</sup> Agency Meeting, we plan on addressing any comments via email. If you would like to schedule a meeting to discuss the alternatives, please let me know, and we will gladly accommodate that request. **Please email your comments to me by August 15th.** Please note also that the third Public Involvement Meeting is scheduled for August 20<sup>th</sup> and 22<sup>nd</sup>. You will receive an invite to that meeting separately.

Also attached is an updated copy of the Coordination Plan. A few minor changes have been made to the schedule, and those have been highlighted. Additionally, a complete summary to date of meetings the study team has had with agencies and the public is included in Section 7.

We look forward to receiving your comments. If you have any questions, please contact me at 414-750-4742 or [monica.wauck@dot.wi.gov](mailto:monica.wauck@dot.wi.gov).

Thank you--

**Monica Wauck**  
Environmental Planner, I-43 Corridor Study

Wisconsin Department of Transportation  
1001 W. St. Paul Avenue, Milwaukee, WI 53233

[monica.wauck@dot.wi.gov](mailto:monica.wauck@dot.wi.gov) | 414-750-4742

## Wauck, Monica T - DOT

**From:** Hoff, Steve - DOT  
**Sent:** Friday, August 02, 2013 2:57 PM  
**To:** 'Nathan Check'  
**Cc:** Lee Szymborski; Nuernberg, Christine; Wauck, Monica T - DOT  
**Subject:** RE: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)  
**Attachments:** image001.png; image002.png

Good afternoon, Nathan-

As you and I talked at our meeting on Wednesday, we at the DOT will require a project cost share agreement with the City of Mequon in order to proceed with an interchange at Highland Rd. Since this would be a new interchange, our policy is for the City to pay 50% of the cost of the interchange. We are certainly willing to have further discussions about that.

With that being said, we can modify the language in Section 2.4.5 to this:

Since the Highland Road interchange would be a new interchange that benefits the surrounding community, WisDOT would require an agreement with the City of Mequon to provide funding for a portion of the interchange construction cost. If the city chooses to not provide a local share of funding, the interchange would not be built.

Please let me know if you'd like to discuss this further.

Thanks.

*Steve Hoff, P.E.*

Project Manager, Major Projects  
 WisDOT Southeast Region  
 Phone: (262)548-6718  
 email: [steve.hoff@dot.wi.gov](mailto:steve.hoff@dot.wi.gov)

---

**From:** Nathan Check [mailto:NCheck@ci.mequon.wi.us]  
**Sent:** Tuesday, July 30, 2013 1:24 PM  
**To:** Wauck, Monica T - DOT; Hoff, Steve - DOT  
**Cc:** Lee Szymborski; Nuernberg, Christine  
**Subject:** RE: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)

Monica and Steve,

Please let me know if you need a formal letter, but I wanted to get these important comments out regarding the language in Section 2.4.5.

Since the Highland Road interchange would be a new interchange that primarily benefits the surrounding community, WisDOT would require an agreement with the City of Mequon to provide funding for 50 percent of the interchange construction cost. If the city chooses to not provide a local share of funding, the interchange would not be built.

The City of Mequon particularly has concerns and objects to the language as it is written. My recommendation would be to reword the portion of the EIS to read:

Since the Highland Road interchange would be a new interchange that primarily benefits the surrounding community, WisDOT may require an agreement with the City of Mequon to provide funding for a portion of the interchange construction cost. If the city or other local agencies choose to not provide a local share of funding, the interchange may not be built.

Below is a brief summary of my reasoning which I can follow up with a formal letter if you wish.

1. "...primarily benefits the surrounding community...."

While I anticipate that additional information on traffic and the benefits are forthcoming, the City has not received an analysis on who is actually receiving the benefits. I anticipate that it is not only the City of Mequon, but also the City of Cedarburg, Village of Germantown, Village of Thiensville as well as the DOT and Ozaukee County. As shown in the preliminary analysis, there will be significant changes needed at STH 167 and CTH W if an interchange at Highland is not built. I assume that the regional benefit and benefits to the interstate system are further defined in the IJR in the eight policy requirements.

2. "WisDOT would require an agreement with the City of Mequon to provide funding for 50% of the interchange construction cost."

Based on our previous discussions, this requirement arises from the DOT's cost share policy from the Program Management Manual. I have a copy of Document No. 03-25-05 for the Local Participation Policy for State Improvement Programs which primarily deals with access to State Trunk Highways. The document includes language that the DOT "may require" and that they "may consider requests to reduce the local share of the costs." Since the local versus regional benefit has not been fully vetted, I would recommend the changes as above.

Please let me know if these changes are possible and we can discuss further at Wednesday's traffic meeting.

Also, one item on the Coordination Plan – our Mayor has changed to Mayor Dan Abendroth.

Thank you,  
Nathan

**Nathan Check, PE**  
*Director of Public Works/City Engineer*  
City of Mequon  
262-236-2937



**From:** Wauck, Monica T - DOT [mailto:Monica.Wauck@dot.wi.gov]

**Sent:** Monday, July 15, 2013 1:06 PM

**To:** 'apederson@bayside-wi.gov'; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; 'Elizabeth Poole'; Hiebert, Christopher; 'jbrunnquell@village.grafton.wi.us'; 'Jernigan, Anthony D MVP'; 'Kenneth Westlake'; 'Maslowski, Richard'; Nauth, Peter L - DATCP; Nathan Check; 'Rebecca M MVP Graser (Rebecca.M.Graser@usace.army.mil)'; 'srobertson@vil.fox-point.wi.us'; 'Thomas Meaux'; Thompson, Michael C - DNR; Yunker, Ken

**Cc:** 'Chief Tom Czaja'; 'Alex Henderson'; 'Eastman, Dave'; Kitchel, Lisie - DNR; 'Mary O'Brien (tem@tds.net)'; 'CKloser@HNTB.com'; Hoff, Steve - DOT; Stankevich, Paul; Nag, Manojoy - DOT; 'Bethaney Bacher-Gresock (Bethaney.Bacher-Gresock@dot.gov)'; Waldschmidt, Jay - DOT; Lee, Scott - DOT; Becherer, Mark; 'pat.allen@ch2m.com'; Berghammer, Donald - DOT; Treazise, Michael - DOT; Nguyen, David - DOT; DOT DTSD SE SEF I43NS Doc Control

**Subject:** I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)

**Importance:** High

Good afternoon--

Attached is a description of the range of alternatives considered by FHWA and WisDOT for the I-43 North-South (Silver Spring Drive – WIS 60) Study Corridor. This document is the draft Section 2 of the EIS. As noted in the document, some alternatives considered



have been dropped, while others may be dropped as the study continues forward. If you would like to reference the project purpose and need statement, you can find it on WisDOT's website: <http://www.dot.wisconsin.gov/projects/seregion/43/need.htm>

As discussed at the January 30<sup>th</sup> Agency Meeting, we plan on addressing any comments via email. If you would like to schedule a meeting to discuss the alternatives, please let me know, and we will gladly accommodate that request. **Please email your comments to me by August 15<sup>th</sup>.** Please note also that the third Public Involvement Meeting is scheduled for August 20<sup>th</sup> and 22<sup>nd</sup>. You will receive an invite to that meeting separately.

Also attached is an updated copy of the Coordination Plan. A few minor changes have been made to the schedule, and those have been highlighted. Additionally, a complete summary to date of meetings the study team has had with agencies and the public is included in Section 7.

We look forward to receiving your comments. If you have any questions, please contact me at 414-750-4742 or [monica.wauck@dot.wi.gov](mailto:monica.wauck@dot.wi.gov).

Thank you--

**Monica Wauck**  
*Environmental Planner, I-43 Corridor Study*

Wisconsin Department of Transportation  
1001 W. St. Paul Avenue, Milwaukee, WI 53233

[monica.wauck@dot.wi.gov](mailto:monica.wauck@dot.wi.gov) | 414-750-4742

<http://www.dot.wisconsin.gov/projects/seregion/43/>

## Wauck, Monica T - DOT

**From:** Cook, Kimberly A - WHS  
**Sent:** Wednesday, August 07, 2013 11:17 AM  
**To:** Wauck, Monica T - DOT  
**Subject:** RE: I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)

Thank you for the early look at a portion of the draft EIS. We will reserve comment until we get the archaeology and historic structures survey reports. Please continue to coordinate with WisDOT's Cultural Resources Team; they are our single point of contact with your agency and will ensure that we receive everything we need to complete the 106 review.

Two changes to the Coordination Plan – you can switch the State Historic Preservation Office's Project Role to "cooperating agency" since our participation is required by law. Also, please update your SHPO contact. Michael Stevens has retired; the State Historic Preservation Officer is now Jim Draeger ([jim.draeger@wisconsinhistory.org](mailto:jim.draeger@wisconsinhistory.org) 608-264-6511).

Thank you,

Kimberly Zunker Cook  
 Wisconsin Historical Society  
 Division of Historic Preservation and Public History  
 Room 300  
 816 State Street  
 Madison, WI 53706  
 608-264-6493

Collecting, Preserving and Sharing Stories Since 1846

**From:** Wauck, Monica T - DOT  
**Sent:** Monday, July 15, 2013 1:06 PM  
**To:** 'apederson@bayside-wi.gov'; Betzold, Kristina A - DNR; Cook, Kimberly A - WHS; 'Elizabeth Poole'; Hiebert, Christopher; 'jbrunquell@village.grafton.wi.us'; 'Jernigan, Anthony D MVP'; 'Kenneth Westlake'; 'Maslowski, Richard'; Nauth, Peter L - DATCP; 'ncheck@ci.mequon.wi.us'; 'Rebecca M MVP Graser ([Rebecca.M.Graser@usace.army.mil](mailto:Rebecca.M.Graser@usace.army.mil))'; 'srobertson@vil.fox-point.wi.us'; 'Thomas Meaux'; Thompson, Michael C - DNR; Yunker, Ken  
**Cc:** 'Chief Tom Czaja'; 'Alex Henderson'; 'Eastman, Dave'; Kitchel, Lisie - DNR; 'Mary O'Brien ([tem@tds.net](mailto:tem@tds.net))'; 'CKloser@HNTB.com'; Hoff, Steve - DOT; Stankevich, Paul; Nag, Manojoy - DOT; 'Bethaney Bacher-Gresock ([Bethaney.Bacher-Gresock@dot.gov](mailto:Bethaney.Bacher-Gresock@dot.gov))'; Waldschmidt, Jay - DOT; Lee, Scott - DOT; Becherer, Mark; 'pat.allen@ch2m.com'; Berghammer, Donald - DOT; Treazise, Michael - DOT; Nguyen, David - DOT; DOT DTSD SE SEF I43NS Doc Control  
**Subject:** I-43 North-South Corridor Study (Silver Spring Drive-STH 60): Draft Alternatives Section for Review (Proj ID: 1229-04-01)  
**Importance:** High

Good afternoon--

Attached is a description of the range of alternatives considered by FHWA and WisDOT for the I-43 North-South (Silver Spring Drive – WIS 60) Study Corridor. This document is the draft Section 2 of the EIS. As noted in the document, some alternatives considered have been dropped, while others may be dropped as the study continues forward. If you would like to reference the project purpose and need statement, you can find it on WisDOT's website:  
<http://www.dot.wisconsin.gov/projects/sereion/43/need.htm>





As discussed at the January 30<sup>th</sup> Agency Meeting, we plan on addressing any comments via email. If you would like to schedule a meeting to discuss the alternatives, please let me know, and we will gladly accommodate that request.

**Please email your comments to me by August 15th.** Please note also that the third Public Involvement Meeting is scheduled for August 20<sup>th</sup> and 22<sup>nd</sup>. You will receive an invite to that meeting separately.

Also attached is an updated copy of the Coordination Plan. A few minor changes have been made to the schedule, and those have been highlighted. Additionally, a complete summary to date of meetings the study team has had with agencies and the public is included in Section 7.

We look forward to receiving your comments. If you have any questions, please contact me at 414-750-4742 or [monica.wauck@dot.wi.gov](mailto:monica.wauck@dot.wi.gov).

Thank you--

**Monica Wauck**

*Environmental Planner, I-43 Corridor Study*

Wisconsin Department of Transportation  
1001 W. St. Paul Avenue, Milwaukee, WI 53233

[monica.wauck@dot.wi.gov](mailto:monica.wauck@dot.wi.gov) | 414-750-4742

<http://www.dot.wisconsin.gov/projects/seregion/43/>

<< File: I-43 North-South Corridor Project Map.pdf >> << File: I-43 North-South Coordination Plan 07\_2013.pdf >> <<  
File: Draft I-43 North-South Corridor\_EIS\_Section2\_07152013 (2).pdf >>



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 25 2013

REPLY TO THE ATTENTION OF:

E-19J

Bethaney Bacher-Gresock  
Federal Highway Administration – Wisconsin Division  
525 Junction Road, Suite 8000  
Madison, Wisconsin 53717-2157

Re: **Comments on the Range of Alternatives for I-43 North-South Freeway Corridor Study, Silver Spring Drive to WIS 60, Milwaukee and Ozaukee Counties, Wisconsin**

Dear Ms. Bacher-Gresock:

The U.S. Environmental Protection Agency has received the February 27, 2013 email in which the Federal Highway Administration (FHWA), in cooperation with the Wisconsin Department of Transportation (WisDOT), requested comments on the proposed range of alternatives for the above-mentioned project. EPA also participated in the January 30, 2013 call to discuss the range of alternatives. Concurrence on the alternatives carried forward will be requested later.

The approximate 14-mile study area along I-43 extends from Silver Spring Drive in the City of Glendale to WIS 60 in the Village of Grafton. The scope of proposed improvements includes alternatives that would provide additional capacity along I-43 and upgrading the existing interchanges at Silver Spring Drive, Good Hope Road, Brown Deer Road, Port Washington Road, Mequon Road, County C, and WIS 60. A possible new interchange at Highland Road in the City of Mequon is also presented.

At this time, EPA reiterates our comments made during the January 30, 2013 call that alternatives carried forward should be those with the least impact to wetlands. Advance identified (ADID) wetlands and primary environmental corridors should be avoided. EPA also commented that impacts to Ulao Creek and the newly established fish passages should be minimized.

We are committed to continue to work with FHWA and WisDOT on this project to reduce impacts to the environment. Thank you for providing us this opportunity. Should you have any questions, please do not hesitate to contact me or Elizabeth Poole of my staff at (312) 353-2087 or poole.elizabeth@epa.gov.

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Recycled Paper (50% Postconsumer)

Sincerely,



for Kenneth A. Westlake, Chief  
NEPA Implementation Section  
Office of Enforcement and Compliance Assurance

Cc: Carrie Cooper, Wisconsin Department of Transportation  
Monica Wauck, Wisconsin Department of Transportation  
Steve Hoff, Wisconsin Department of Transportation  
Anthony Jernigan, US Army Corps of Engineers  
Michael Thompson, Wisconsin Department of Natural Resources





## **C-4 AGENCY COMMENTS: COORDINATION POINT 3 – PREFERRED ALTERNATIVE**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 03 2014

REPLY TO THE ATTENTION OF:

E-19J

Bethaney Bacher-Gresock  
Federal Highway Administration – Wisconsin Division  
525 Junction Road, Suite 8000  
Madison, Wisconsin 53717-2157

Re: **Comments on the Preferred Alternative for I-43 North-South Freeway Corridor Study, Silver Spring Drive to WIS 60, Milwaukee and Ozaukee Counties, Wisconsin**

Dear Ms. Bacher-Gresock:

The U.S. Environmental Protection Agency has reviewed the administrative Draft Environmental Impact Statement provided on February 3, 2014 by the Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT). The purpose of this agency review period was to solicit comments and concurrence on the preferred alternative prior to issuance of the public Draft EIS. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The study area extends approximately 14-miles along I-43, from Silver Spring Drive in the City of Glendale in Milwaukee County to WIS 60 in the Village of Grafton in Ozaukee County, Wisconsin. The proposed project includes changes to the mainline and several interchanges. Therefore, the lead agencies have identified the following as part of the preferred alternative:

- **I-43 Mainline South Segment (Silver Spring Drive to Green Tree Road):** Modernization – 6 Lanes; Mainline shifted east; includes reconstructing the Jean Nicolet Road and widening Port Washington Road from two to four lanes.
- **I-43 Mainline North Segment (Green Tree Road to WIS 60):** Modernization – 6 lanes; additional lanes added inside the median.
- **Good Hope Road interchange:** Tight Diamond.
- **Brown Deer Road interchange:** Diverging Diamond or Tight Diamond.
- **County Line Road interchange:** No Access, Partial Diamond (added per email from Monica Wauck on February 28, 2014), or Split Diamond Hybrid (grade separation or without grade separation sub-alternatives).

- **Mequon Road interchange:** Tight Diamond.
- **Highland Road interchange:** No Access or Tight Diamond.
- **County C interchange:** Diamond.

Based on conversations between you and Elizabeth Poole of my staff, EPA understands that per Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), in order for FHWA to prepare a combined Final EIS and Record of Decision (ROD), the preferred alternative should be identified in the Draft EIS, among other criteria. At this time, because the proposed improvements to the I-43 corridor appear to meet the criteria, FHWA and WisDOT propose to prepare a combined Final EIS/ROD.

EPA notes that the administrative Draft EIS does not identify a preferred alternative for the interchanges at Brown Deer Road, Highland Road, and County Line Road. Therefore, EPA cannot concur with the preferred alternative for these three interchanges. When the preferred alternative for these interchanges is identified, EPA will review those elements of the project for comments and possible concurrence.

EPA concurs with the preferred alternatives for the mainline north and south segments, Good Hope Road interchange, Mequon Road interchange, and County C interchange. However, we have several recommendations that should be incorporated into Draft EIS before it is made publicly available. These recommendations are as follows:

- The Draft EIS should clarify how the No Access alternative at Highland Road impacts performance at Highland Road, adjacent interchanges, and surrounding mainline segments. EPA is concerned about the amount of wetland impacts, 5.42 acres, at Highland Road if the Tight Diamond interchange is selected. If the No Access alternative for Highland Road does not adversely impact traffic performance, EPA strongly recommends WisDOT and FHWA pursue the No Access alternative. Because the corridor is largely in an urban area, the impacts to wetlands in each of various segments (both mainline and interchanges) is small, but cumulatively large. Where feasible, EPA recommends impacts to wetlands be avoided. Therefore, we encourage FHWA and WisDOT pursue the No Access alternative for the Highland Road interchange.
- Advance Identification of Wetland Areas (ADID) and primary environmental corridors will be impacted by the preferred alternative. We recommend that wetland losses be mitigated for within the primary environmental corridor. A watershed-based approach to mitigation should be used to ensure that the wetland mitigation is ecologically appropriate and will compensate for unavoidable wetland losses.
- EPA appreciates the detailed wetland maps provided in Appendix A. However, it is difficult to interpret a comprehensive picture of wetland impacts along the corridor without one map of the entire corridor. EPA recommends a single map with all wetlands impacts be provided in order to enhance the reviewer's understanding of the total wetland impacts. Because some interchanges still have multiple alternatives, EPA recommends one map for each of the possible scenarios (e.g., Map 1: identified preferred alternative

plus diverging diamond at Brown Deer Road, No Access at County Line Road, and No Access at Highland Road; Map 2: identified preferred alternative plus tight diamond at Brown Deer Road, No Access at County Line Road, and No Access at Highland Road, etc.) be provided.

Please be aware that EPA may provide additional comments on the preferred alternatives and supporting sections of the Draft EIS when it is released for public review. Thank you in advance for your consideration of our comments. We are committed to continue to work with FHWA and WisDOT on this project to reduce impacts to the environment. Should you have any questions, please do not hesitate to contact me or Elizabeth Poole of my staff at (312) 353-2087 or [poole.elizabeth@epa.gov](mailto:poole.elizabeth@epa.gov).

Sincerely,



Kenneth A. Westlake, Chief  
NEPA Implementation Section  
Office of Enforcement and Compliance Assurance

Cc: Monica Wauck, Wisconsin Department of Transportation  
Anthony Jernigan, US Army Corps of Engineers  
Michael Thompson, Wisconsin Department of Natural Resources



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 06 2014

REPLY TO THE ATTENTION OF:

E-19J

Bethaney Bacher-Gresock  
Federal Highway Administration – Wisconsin Division  
525 Junction Road, Suite 8000  
Madison, Wisconsin 53717-2157

Re: **Additional Comments and Concurrence on the Preferred Alternative for I-43  
North-South Freeway Corridor Study, Silver Spring Drive to WIS 60, Milwaukee  
and Ozaukee Counties, Wisconsin**

Dear Ms. Bacher-Gresock:

The U.S. Environmental Protection Agency has reviewed the administrative Draft Environmental Impacts Statement (EIS) for the I-43 corridor study between Silver Spring Drive and WIS 60 in Milwaukee and Ozaukee Counties, Wisconsin. The Federal Highway Administration (FHWA) in conjunction with the Wisconsin Department of Transportation (WisDOT), proposes several changes along the corridor that will improve overall safety and performance. The purpose of this agency review period was to solicit comments and concurrence on the preferred alternative prior to issuance of the public Draft EIS. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act

EPA provided an initial concurrence letter on the preferred alternatives on March 3, 2014 (enclosed). In addition to providing some recommendations regarding wetland mitigation and provided maps, EPA concurred on the following elements of the project.

- **I-43 Mainline South Segment (Silver Spring Drive to Green Tree Road):** Modernization – 6 Lanes; Mainline shifted east; includes reconstructing the Jean Nicolet Road and widening Port Washington Road from two to four lanes.
- **I-43 Mainline North Segment (Green Tree Road to WIS 60):** Modernization – 6 lanes; additional lanes added inside the median.
- **Good Hope Road interchange:** Tight Diamond.
- **Mequon Road interchange:** Tight Diamond.
- **County C interchange:** Diamond.

Subsequently, Elizabeth Poole of my staff participated in a phone call with you, Monica Wauck of WisDOT, and Caron Kloser of HINTB, consultant to WisDOT, on March 4, 2014. Based on the March 4 conversation, we now understand the following:

- The administrative Draft EIS identified preferred alternatives for all of the interchanges along the corridor. However, for Brown Deer Road, County Line Road, and Highland Road, in addition to the preferred alternative, several additional alternatives were carried forward due to extenuating circumstances for each of the interchanges. The alternatives are detailed below:
  - **Brown Deer Road:** Diverging Diamond or Tight Diamond; WisDOT's preferred alternative is the Diverging Diamond. Because the diverging diamond type of interchange is a new type of configuration that will require public education, WisDOT will also carry forward the Tight Diamond interchange for analysis as a reasonable alternative.
  - **County Line Road:** No Access, Partial Diamond (added per email from Monica Wauck on February 28, 2014), or Split Diamond Hybrid (grade separation or without grade separation sub-alternatives); WisDOT's preferred alternative is the Split Diamond Hybrid.
  - **Highland Road:** No Access or Tight Diamond; the Tight Diamond is the preferred alternative. However, a new interchange will require a local funding match. FHWA and WisDOT have decided to analyze both the No Access and the Tight Diamond alternatives so that in the event that local funding match is not procured, all alternatives have been appropriately considered. In our March 3, 2014 letter, EPA encouraged FHWA and WisDOT to pursue the No Access alternative. However, because this is not the preferred alternative, we continue to encourage the lead agencies to minimize impacts to wetlands at the Highland Road interchange, if the Tight Diamond alternative is ultimate selected.

The administrative Draft EIS is not clear. Currently, the identification of the preferred alternative gets lost in the discussion of the alternatives at each of the interchanges and along the mainline, particularly where multiple alternatives are carried forward. At this time, EPA recommends that the Draft EIS include a list of the preferred alternatives, separate from the discussion of the alternatives at each of the interchanges and along the mainline. For example Sections 2.8 or 2.9 would be improved if a simple, bulleted list of the preferred alternatives is included.

Based on the information provided during the March 4, 2014 phone call, we concur with the remaining preferred alternatives presented in the administrative Draft EIS for Brown Deer Road, County Line Road, and Highland Road.

This letter is intended to supplement the information and comments provided in our March 3, 2014 letter. Please be aware that EPA may provide additional comments on the preferred alternatives and supporting sections of the Draft EIS when it is released for public review. Thank you in advance for your consideration of our comments. We are committed to continue to work with FHWA and WisDOT on this project to reduce impacts to the environment. Should you have



any questions, please do not hesitate to contact me or Elizabeth Poole of my staff at (312) 353-2087 or poole.elizabeth@epa.gov.

Sincerely,



Kenneth A. Westlake, Chief  
NEPA Implementation Section  
Office of Enforcement and Compliance Assurance

**Enclosure:** March 3, 2014 Letter to FHWA and WisDOT on the Selection of the Preferred Alternatives

**Cc:** Monica Wauck, Wisconsin Department of Transportation  
Anthony Jernigan, US Army Corps of Engineers  
Michael Thompson, Wisconsin Department of Natural Resources



DEPARTMENT OF THE ARMY  
ST. PAUL DISTRICT, CORPS OF ENGINEERS  
180 FIFTH STREET EAST, SUITE 700  
ST. PAUL MN 55101-1678

REPLY TO  
ATTENTION OF  
Operations  
Regulatory (2010-05252-ADJ)

MAR 06 2014

Ms. Monica Wauck  
WisDOT Southeast Region  
1001 W. St. Paul Avenue  
Milwaukee, Wisconsin 53203

Dear Ms. Wauck:

We have completed our review of the administrative Draft Environmental Impact Statement (aDEIS) prepared for the Interstate 43 North - South Corridor (WisDOT Project I.D. 1229-04-01), received February 3, 2014. As part of this review, you requested we provide concurrence with the range of alternatives presented and the selection of preferred alternatives. The study area is between Silver Spring Drive (south limit) and State Trunk Highway 60 (north limit) in Milwaukee and Ozaukee Counties, Wisconsin.

#### Concurrence Point 2: Alternatives Carried Forward for Additional Study

We agree with the array of alternatives dismissed from further study. With the exception of the 8-lane modernization and tunnel alternatives, the alternatives dismissed are shown on the enclosed tables 2-1 and 2-2 for the mainline and interchanges, respectively. The alternatives dismissed would not meet the project purpose and need, are not practicable, or would be more damaging to the aquatic environment compared to those carried forward.

We concur with the range of alternatives carried forward for additional study. These alternatives are compared against the "no build" alternative in the aDEIS and include those alternatives with a "YES" in the final column of tables 2-1 and 2-2.

#### Concurrence Point 3: Selection of a Preferred Alternative

We have evaluated the preferred alternatives identified in the aDEIS. We concur with the following alternatives selected for each interchange and half of the mainline:

1. Mainline South Segment: Modernization alternative with 6-lanes shifted east;
2. Mainline North Segment: Modernization alternative with 6-lanes widened to the inside;
3. Good Hope Road Interchange: Tight Diamond;
4. Brown Deer Road Interchange: Diverging Diamond;
5. County Line Road Interchange: Split Diamond Hybrid;
6. Mequon Road Interchange: Diamond; and
7. County Trunk Highway C Interchange: Diamond.

Operations  
Regulatory (2010-05252-ADJ)

-2-

Based on information provided in Section 3.12 of the aDEIS, the seven preferred alternatives above appear to make up the least environmentally damaging practicable alternative (LEDPA) for the proposed project. This preliminary determination has been made on a corridor level and we expect that further efforts to avoid, minimize, and mitigate impacts to waters of the United States would take place during the design phase of the project. If there are any substantial changes or if new information is brought forward, we may reconsider our determination.

We do not concur with the selection of the tight diamond interchange as the preferred alternative at Highland Road. The no interchange alternative carried forward appears to have less than half the impact to waters of the United States compared to the tight diamond interchange at Highland Road. If practicable, our agency cannot consider the tight diamond interchange alternative the LEDPA unless you clearly demonstrate that the no interchange alternative at Highland Road would result in other significantly adverse environmental consequences.

#### General Comments

In addition to the information provided in Section 3.12 of the aDEIS regarding compensatory mitigation, the project sponsor must also take all practicable and appropriate steps to ensure that compensatory mitigation is located in the same watershed as impacted waters of the United States.

Please remove the information suggesting the limits of federal authority from Appendix D. Determinations of federal jurisdiction are made by our agency through a formal process. Our agency has not made any jurisdictional determinations for the resources within the proposed project area.

Applicability of Section 404 is not limited to wetlands, but includes most aquatic systems such as rivers and lakes. The impacts proposed to other aquatic resources along the proposed project are likely to require authorization from the Corps. Please disclose any proposed impacts to tributaries associated with the alternatives in the DEIS.

The information in the aDEIS suggests that stormwater features will be a necessary part of any build alternative pursued. At this time, we presume that stormwater features will not be sited within waters of the United States. If stormwater features are proposed to be located in waters of the United States, this may warrant a re-evaluation our LEDPA determination.

Finally, it is our understanding that the FEIS and Record of Decision may be concurrently issued for this proposed project. Should the FEIS include substantial changes to the proposed action relevant to environmental concerns or otherwise address significant new circumstances or information, we may re-evaluate the concurrences previously provided, including our LEDPA determination.



Operations  
Regulatory (2010-05252-ADJ)

-3-

We look forward to continued coordination on this project. If you have any questions, contact Anthony Jernigan in our Waukesha office at (651) 290-5729. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Tamara E. Cameron  
Chief, Regulatory Branch

Enclosures: Tables 2-1 and 2-2.

Copy Furnished:  
Kenneth Westlake, US Environmental Protection Agency;  
Bethaney Bacher-Gresock, FHWA Wisconsin Division; and  
Mike Thompson, WDNR.



Table 2-1: Alternatives Screening Summary – I-43 Mainline

Alternatives	Key Purpose and Need Factors				Other Factors		
	Addresses Design Deficiencies?	Improves Safety?	Addresses Future Traffic Demand?	Consistent with Regional Plan?	Relative Total Cost (construction, right of way acquisition)	Magnitude of Environmental Impacts	Retain Alternative for Detailed Study?
SOUTH SEGMENT: SILVER SPRING DRIVE to GREEN TREE ROAD							
Spot Improvements	NO Deteriorated pavement not replaced. Substandard curves, bridge clearances, stopping site distance, decision site distance and shoulders not improved	YES (limited) Ramp improvements create safer entrance/exit operations. Does not address congestion-related safety issues. Safety issues related to mainline design deficiencies not improved	NO About 60% of the corridor operates unacceptably during peak hours in year 2040; About 20% of entire corridor operating at LOS F	NO SEWRPC recommends added lanes, and interchange improvements	LOW No right of way (R/W) impacts	LOW No impacts	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans
Modernization – 4 Lanes (Centered)	YES Pavement replaced; substandard curves, bridge clearances and shoulders replaced	YES (limited) Safety issues related to design deficiencies addressed; but congestion related safety issues not addressed	NO See comment above	NO SEWRPC recommends added lanes,	LOW Limited widening and R/W impacts	LOW Minimal impact	NO Does not address future traffic demand; not consistent with regional transportation plans
Modernization – 6 Lanes (Centered)	YES See comments above	YES Safety issues related to design deficiencies and congestion addressed	YES Entire corridor operates acceptably	YES Consistent with SEWRPC long range plan recommending 6-lanes	MODERATE R/W on Jean Nicolet Road and Port Washington Road	MODERATE/HIGH 11 residential and 1 business relocations; wetlands impact, R/W impact to potential historic properties and Nicolet High School athletic field and east playfields similar to shift east and shift west alternatives	NO R/W and relocation impacts to both sides of highway with no added benefit
Modernization – 6 Lanes (Shifted East)	YES See comments above	YES See comments above	YES See comments above	YES See comments above	MODERATE R/W on Port Washington Road	MODERATE/HIGH 11 residential and 1 business relocations; 0.07 acre wetland impact; 0.22-acre impact to Nicolet High School east playfields, 0.16 acre impact to historic water treatment plant; 0.08 acre impact to Craig Counsell Park; avoids Clovermook Historic District.	YES Maintains Jean Nicolet Road; minimizes R/W and relocation impacts on west side; profile depressed to minimize visual impacts; avoids impact to Clovermook Historic District compared to centered and shifted west alternatives; city of Glendale supports this alternative
Modernization – 6 Lanes (Shifted West)	YES See comments above	YES See comments above	YES See comments above	YES See comments above	MODERATE R/W on Jean Nicolet Road	MODERATE/HIGH 9 residential and 1 business relocations; 0.05 acre wetland impact; 0.22 acre-impact to Nicolet High School athletic field and parking area; 0.16 acre impact to historic water treatment plant; 0.08 acre impact to Craig Counsell Park; impact to Clovermook Historic District (4 relocations).	NO Maintains continuous Jean Nicolet Road; minimizes R/W and relocation impacts on east side; profile depressed to minimize visual impacts; impacts Clovermook Historic District
Modernization – 6 Lanes (Elevated over UP Railroad)	YES See comments above	YES See comments above	YES See comments above	YES See comments above	HIGH Substantial structures required and retaining walls	MODERATE/HIGH 2 residential relocations; impacts to potential historic properties; R/W impacts to Nicolet High School east playfield; changed travel patterns; visual impacts	NO Limits R/W and relocation impacts; substantial visual impacts; no added benefit for cost of alternative

2010-05252-ADJ,  
Page 1 of 8  
ENCLOSURE



Alternatives	Key Purpose and Need Factors				Other Factors		
	Addresses Design Deficiencies?	Improves Safety?	Addresses Future Traffic Demand?	Consistent with Regional Plan?	Relative Total Cost (construction, right of way acquisition)	Magnitude of Environmental Impacts	Retain Alternative for Detailed Study?
Modernization – 6 Lanes (Raised)	YES See comments above	YES See comments above	YES See comments above	YES See comments above	HIGH Retaining walls along I-43; additional bridges at new underpass locations	MODERATE/HIGH 11 residential and 1 business relocations; impacts to wetlands, potential historic properties; R/W impact to Nicolet High School east playfields similar to shift east alternative; visual impacts; changed travel patterns	NO See access options below
<i>Raised – Jean Nicolet Access Option 1</i>	See Raised Alternative Evaluation Factors above					MODERATE/HIGH See Raised Alternative Magnitude of Environmental Impacts above	NO Discontinuous Jean Nicolet Road did not substantially reduce impacts compared to the shift east or shift west alternatives; Substantial disruption to neighborhood access
<i>Raised – Jean Nicolet Access Option 2</i>	See Raised Alternative Evaluation Factors above					MODERATE/HIGH See Raised Alternative Magnitude of Environmental Impacts above	NO Discontinuous Jean Nicolet Road did not substantially reduce impacts compared to the shift east or shift west alternatives; Substantial disruption to neighborhood access
Modernization – 6 Lanes (Depressed)	YES See comments above; but drainage issues introduced	YES See comments above; but drainage problems may create safety issues	YES See comments above	YES See comments above	HIGH Retaining walls along I-43	MODERATE/HIGH 11 residential and 1 business relocations; impacts to wetlands, potential historic properties and Nicolet High School east playfields similar to shift east alternative; changed travel patterns; drainage issues	NO Lowering I-43 creates drainage difficulties, as well as increasing construction complexity; minimal profile difference in area of concern with shift east or shift west alternatives
<b>NORTH SEGMENT: GREEN TREE ROAD to WIS 60</b>							
Modernization – 4 Lanes	YES Pavement replaced; substandard curves, bridge clearances and shoulders replaced	YES (limited) Safety issues related to design deficiencies addressed; but congestion related safety issues not addressed	NO More than 60% of the corridor operates unacceptably during peak hour or worse in year 2040; 20% operates at LOS F	NO SEWRPC recommends added lanes	LOW Limited widening and R/W impacts	LOW No relocations; minimal wetland impacts	NO Does not address future traffic demand; not consistent with regional transportation plans
Modernization – 6 Lanes	YES See comments above	YES Safety issues related to design deficiencies and congestion addressed	YES Entire corridor operates acceptably	YES Consistent with SEWRPC long range plan recommending 6-lanes	MODERATE R/W impacts	See Magnitude of Environmental Impacts below	See widening options below
<i>Milwaukee County Option – Inside widening</i>	See Capacity Expansion Alternative Evaluation Factors above					MODERATE 1.2 acres wetland impacts	YES Addresses design deficiencies, improves safety concerns, future traffic demand and is consistent with regional plans
<i>Ozaukee County Option 1 – Inside widening</i>	See Capacity Expansion Alternative Evaluation Factors above					MODERATE 8.0 acres wetlands impacts, includes 2.1 acres ADID wetland impacts in Ozaukee County	YES Addresses design deficiencies, improves safety concerns, future traffic demand and is consistent with regional plans

2010-05252-ADJ,  
Page 2 of 8  
ENCLOSURE





Table 2-1: Alternatives Screening Summary – I-43 Mainline

Alternatives	Key Purpose and Need Factors				Other Factors		
	Addresses Design Deficiencies?	Improves Safety?	Addresses Future Traffic Demand?	Consistent with Regional Plan?	Relative Total Cost (construction, right of way acquisition)	Magnitude of Environmental Impacts	Retain Alternative for Detailed Study?
Ozaukee County Option 2 – Outside widening	See Capacity Expansion Alternative Evaluation Factors above				MODERATE/HIGH R/W impacts	MODERATE/HIGH 15.6 acres impacts to wetlands, includes 4.7 acres ADID wetlands impacts. Greater farmland impacts compared to inside widening; stream relocation	NO Higher magnitude of impacts to wetlands, streams and farmland compared to widening to inside
CORRIDORWIDE LOWER LEVEL IMPROVEMENTS							
TSM and TDM Measures Only	NO Deteriorated pavement not replaced. Substandard curves, bridge clearances, stopping site distance, decision site distance and shoulders not improved	NO Safety issues related to design deficiencies addressed and congestion not addressed	NO About 60% of the corridor operates unacceptably during peak hours in year 2040; About 20% of entire corridor operating at LOS F	NO SEWRPC recommends TSM and TDM measures along with added lanes, and interchange improvements	LOW Little to no R/W impacts	LOW No impacts	NO As stand-alone alternative, does not address design deficiencies, safety issues or future traffic demand; not consistent with regional transportation plans
TSM/TDM Plus Spot Improvements	NO Deteriorated pavement not replaced. Substandard curves, bridge clearances, stopping site distance, decision site distance and shoulders not improved	YES (limited locations) Ramp improvements create safer entrance/exit operations. Does not address congestion-related safety issues. Safety Issues related to mainline design deficiencies and congestion not improved	NO See comment above	NO SEWRPC recommends TSM and TDM measures along with added lanes, and interchange improvements	LOW Limited to no R/W impacts	LOW No impacts	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans
TSM/TDM Plus Reconstruction without Capacity Expansion	YES Pavement replaced; substandard curves, bridge clearances and shoulders replaced	YES (limited) Safety issues related to design deficiencies addressed; but congestion related safety issues not addressed	NO See comment above	NO SEWRPC recommends TSM and TDM measures along with added lanes, and interchange improvements	LOW Limited R/W impacts	LOW/MODERATE Minimal Impact	NO Does not address future traffic demand; not consistent with regional transportation plans

2010-05252-ADJ,  
Page 3 of 8  
ENCLOSURE



Table 2-2: Alternatives Screening Summary – Interchanges

Alternatives	Key Purpose and Need Factors				Other Factors		
	Addresses Design Deficiencies?	Improves Safety?	Addresses Future Traffic Demand?	Consistent with Regional Plan?	Relative Total Cost (construction, right of way acquisition)	Magnitude of Environmental Impacts	Retain Alternative for Detailed Study?
GOOD HOPE ROAD INTERCHANGE							
Spot Improvements	NO Deteriorated pavement not replaced; Substandard design and shoulders not improved	YES (spot locations) Ramp improvements create safer entrance/exit operations	NO Does not address operational problems between ramp terminal and Port Washington/ Good Hope intersection	NO SEWRPC recommends Interchange reconstruction to improve ramp geometry and traffic operations	LOW No right of way (R/W) impacts	LOW 1 residential relocation; no wetland impacts	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans
Tight Diamond	YES Addresses design deficiencies	YES Addresses safety issues related to design deficiencies and traffic operations	YES Interchange operates acceptably	YES Addresses geometry deficiencies and traffic operations problems	LOW/MODERATE Relatively low construction cost; retains Good Hope Road bridges; R/W impacts	MODERATE 1 residential relocation; 0.10 acre wetland impacts	YES Maximizes distance between northbound ramp terminal intersection with Good Hope Road and the Good Hope Road/ Port Washington Road intersection; retains existing Good Hope Road bridges
Tight Diamond (Mainline Shifted West)	YES See comment above	YES See comment above	YES See comment above	YES See comment above	LOW/MODERATE Relatively low construction cost; replaces Good Hope Road bridges; R/W impacts	MODERATE 2 residential relocations; 0.12 acre wetland impacts	NO Further increases distance between northbound ramp terminal intersection with Good Hope Road and the Good Hope Road/ Port Washington Road intersection; additional relocation impacts with minimal added benefit compared to the Tight Diamond alternative
Tight Diamond with Northbound Ramp Split (Hook Ramp)	YES See comment above	YES See comment above	YES See comment above	YES See comment above	LOW Relatively low cost to construct; retains Good Hope Road bridges; R/W acquisition	MODERATE 1 residential relocation and 1 commercial relocation; wetland impacts similar to Tight Diamond	NO Local concerns about commercial relocation and neighborhood impacts of hook ramp
Split Diamond	YES See comment above	YES See comment above	NA (Alternative eliminated; analysis not done)	YES See comment above	MODERATE/HIGH Multiple structures; high R/W acquisition; retains Good Hope Road bridges	MODERATE/HIGH 3 residential relocations; wetland impacts similar to tight diamond (Mainline Shifted West); increases traffic volume on Green Tree Road	NO High cost; high R/W acquisition and relocation impacts; potential traffic increase in residential area
Diverging Diamond	YES See comment above	YES See comment above	NO Does not provide sufficient distance between ramps and Port Washington/ Good Hope intersection	NO Does not address traffic operations problems	LOW Relatively low cost to construct; retains Good Hope Road bridges; lower R/W acquisition	MODERATE 1 residential relocation; wetland impacts similar to tight diamond	NO Does not address future traffic demand; short weaving distance between ramp terminals and Port Washington Road; creates lane continuity issues at Port Washington Road
Single-Point	YES See comment above	YES See comment above	YES with modification (tight right turn)	YES Addresses geometry deficiencies and traffic operations problems	LOW/MODERATE Relatively low cost to construct; widens existing Good Hope Road bridge; R/W acquisition	MODERATE 1 residential relocation; wetland impacts similar to tight diamond	NO Substantial widening of Good Hope Road bridges needed to accommodate ramps; No added benefit compared to tight diamond alternatives

Note: All build alternatives include TSM/TDM measures.

2010-05252-ADJ,  
Page 4 of 8  
ENCLOSURE



Alternatives	Key Purpose and Need Factors				Other Factors		Retain Alternative for Detailed Study?
	Addresses Design Deficiencies?	Improves Safety?	Addresses Future Traffic Demand?	Consistent with Regional Plan?	Relative Total Cost (construction, right of way acquisition)	Magnitude of Environmental Impacts	
Single-Point with Northbound Ramp Split (Hook Ramp)	YES See comment above	YES See comment above	YES Slightly better traffic operations compared to Single Point alternative	YES See comment above	LOW/MODERATE Similar to Single-Point, but slightly higher R/W impact	MODERATE 1 residential and 1 commercial relocation; wetland impacts similar to tight diamond	NO Similar to Single Point, but traffic operations improved with separate northbound hook. Local concerns about commercial relocation and neighborhood impacts of hook ramp
Horseshoe	YES Addresses design deficiencies; but more complex bridge structures	YES Addresses safety issues related to design deficiencies and traffic operations	NA (Alternative eliminated; analysis not done)	YES See comment above	MODERATE/HIGH Multiple structures that present high maintenance cost compared to other alternatives; R/W impacts; replaces Good Hope Road bridges	MODERATE 2 residential relocations; wetland impacts similar to tight diamond	NO Alternative has highest cost, R/W acquisition and relocations compared to other lower impact alternatives that address design deficiencies, safety issues and future traffic demand
<b>BROWN DEER ROAD/WIS 100 INTERCHANGE</b>							
Spot Improvements	NO Deteriorated pavement not replaced. Substandard design and shoulders not improved	YES (spot locations) Ramp improvements create safer entrance/exit operations	NO Does not address operational problems between ramp terminal and Port Washington/ Good Hope intersection	NO SEWRPC recommends interchange reconstruction to improve ramp geometry and traffic operations	LOW Minimal structures and R/W impacts	LOW Wetland impacts not calculated, but lower than build alternatives	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans
Diamond	YES Addresses design deficiencies	YES Addresses safety issues related to design deficiencies and traffic operations	YES Interchange operates acceptably	YES Addresses geometry deficiencies and traffic operations problems	LOW/MODERATE Minimal structures and R/W impacts; retains but widens Brown Deer Road bridges	LOW/MODERATE 0.75 acre wetland impacts; no relocations; impacts earth berm in residential area	YES Increases distance between ramp terminal and Brown Deer Road/Port Washington Road intersection; cost, traffic operations and R/W acquisition comparable to other alternatives
Diverging Diamond	YES See comment above	YES See comment above	YES See comment above	YES See comment above	LOW/MODERATE Low R/W impacts; retains Brown Deer Road bridges	LOW/MODERATE 0.72 acre wetland impacts; no relocations; impacts earth berm in residential area	YES Increases distance between ramp terminal and Brown Deer Road/Port Washington Road intersection; cost, traffic operations and R/W acquisition comparable to other alternatives
Single-Point	YES See comment above	NO Skewed angles not desirable	YES See comment above	YES See comment above	LOW Minimal structures and R/W acquisition; retains Brown Deer Road bridges	LOW No relocations; impacts earth berm in residential area; wetland impacts not calculated, but greater than Diamond interchange	NO Skewed angle between I-43 and Brown Deer Road creates traffic safety concerns with this interchange configuration
Horseshoe	YES Addresses design deficiencies; but more complex bridge structures	YES Addresses safety issues related to design deficiencies and traffic operations	NA (Alternative eliminated; analysis not done)	YES See comment above	MODERATE/HIGH Multiple structures that present high maintenance cost compared to other alternatives; R/W impacts; replaces Brown Deer Road bridges	MODERATE 1 commercial relocation; impacts earth berm in residential area; wetland impacts not calculated, but greater than Diamond interchange	NO Alternative has highest cost, R/W acquisition and relocations compared to other lower impact alternatives that address design deficiencies, safety issues and future traffic demand

Note: All build alternatives include TSM/TDM measures.

2010-05252-ADJ,  
Page 5 of 8  
ENCLOSURE





Table 2-2: Alternatives Screening Summary – Interchanges

Alternatives	Key Purpose and Need Factors				Other Factors		
	Addresses Design Deficiencies?	Improves Safety?	Addresses Future Traffic Demand?	Consistent with Regional Plan?	Relative Total Cost (construction, right of way acquisition)	Magnitude of Environmental Impacts	Retain Alternative for Detailed Study?
COUNTY LINE ROAD INTERCHANGE							
Spot Improvements	NO Deteriorated pavement not replaced. Substandard design and shoulders not improved	YES (spot locations) Ramp improvements create safer entrance/exit operations	NO Does not address future traffic demand; does not resolve ramp spacing deficiency with Brown Deer Road Interchange	NO SEWRPC recommends interchange reconstruction to improve ramp geometry and traffic operations	LOW Two ramps constructed; limited R/W required	LOW No relocations; no wetland impacts	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans; does not provide for all traffic movements per federal policy
No Access (Access Removed)	YES Eliminates interchange and existing deficiencies	YES Eliminates close ramp spacing with northbound Brown Deer interchange entrance ramp	NA	NO SEWRPC would need to update the long range plan to account for no access	LOW Two ramps removed; new structures	LOW/MODERATE No relocations; 1 acre wetland impacts; travel pattern changes for surrounding community; traffic diverted to other interchanges;	YES Alternative would eliminate all access but does not adversely affect design deficiencies, safety issues or future traffic demand; consistent with federal policy to avoid partial traffic movements at interchanges; greater indirection for emergency services and local traffic
Partial Diamond	YES Addresses design deficiencies	YES Addresses close ramp spacing with Brown Deer Road interchange	YES Interchange operates acceptably	YES Addresses deficiencies and traffic operations problems; does not meet FHWA requirement for full access	LOW	MODERATE No relocations; 1 acre wetland impacts	YES Does not provide for all traffic movements per federal policy; addresses design deficiency of exit ramp weave movement with Brown Deer Road interchange northbound exit ramp; serves the surrounding land use and community
Split Diamond (with Katherine Drive Grade Separation)	YES Addresses design deficiencies	YES Addresses close ramp spacing with Brown Deer Road interchange	YES Interchange operates acceptably	NO SEWRPC would need to update long range plan to include a full access interchange	MODERATE Constructs new full interchange; limited R/W required	LOW/MODERATE No relocations; 1 acre wetland impacts; travel pattern and local access changes	NO Provides for all traffic movements consistent with federal policy; minimizes impacts to surrounding homes and businesses; greater indirection for local traffic
Split Diamond	YES Addresses design deficiencies	YES Addresses close ramp spacing with Brown Deer Road interchange	YES Interchange operates acceptably	NO SEWRPC would need to update long range plan to include a full access interchange	MODERATE Constructs new full interchange; limited R/W required	LOW/MODERATE No relocations; 1 acre wetland impacts; travel pattern and local access changes	NO Provides for all traffic movements consistent with federal policy; minimizes impacts to surrounding homes and businesses; increased indirection for local traffic
Split Diamond Hybrid	YES Addresses design deficiencies	YES Addresses close ramp spacing with Brown Deer Road interchange	YES Interchange operates acceptably	NO SEWRPC would need to update long range plan to include a full access interchange	MODERATE Constructs new full interchange; limited R/W required	LOW/MODERATE No relocations; 1 acre wetland impacts; travel pattern changes; maintains local access	YES Provides for all traffic movements consistent with federal policy; minimizes impacts to surrounding homes and businesses; maintains access for local traffic compared to grade separated split diamond alternative

Note: All build alternatives include TSM/TDM measures.

2010-05252-ADJ,  
Page 6 of 8  
ENCLOSURE



Table 2-2: Alternatives Screening Summary – Interchanges

Alternatives	Key Purpose and Need Factors				Other Factors		Retain Alternative for Detailed Study?
	Addresses Design Deficiencies?	Improves Safety?	Addresses Future Traffic Demand?	Consistent with Regional Plan?	Relative Total Cost (construction, right of way acquisition)	Magnitude of Environmental Impacts	
Full Diamond (with Katherine Drive Grade Separation)	YES Addresses design deficiencies	YES Addresses close ramp spacing with Brown Deer Road interchange	YES Interchange operates acceptably	NO SEWRPC would need to update long range plan to include a full access interchange	MODERATE Constructs new full interchange; R/W required	LOW/MODERATE No relocations; 1 acre wetland impacts; travel pattern and local access changes	NO Provides for all traffic movements consistent with federal policy; minimizes impacts to surrounding homes and businesses; greater redirection for local traffic
Full Diamond	YES Addresses design deficiencies	YES Addresses close ramp spacing with Brown Deer Road interchange	YES Interchange operates acceptably	NO SEWRPC would need to update long range plan to include a full access interchange	MODERATE/HIGH Constructs new full interchange; new overpass bridge; R/W impacts	MODERATE/HIGH 6 to 9 residential relocations for new overpass; 1.2 acre wetland impacts; changed travel pattern and access changes	NO Provides standard full diamond interchange that provides for all traffic movements consistent with federal policy; substantial relocation impacts and relative costs with no added benefit
<b>MEQUON ROAD/WIS 167 INTERCHANGE</b>							
Spot Improvements	NO Deteriorated pavement not replaced. Substandard design and shoulders not improved	YES (spot locations) Ramp improvements create safer entrance/exit operations	NO Does not address operational problems between ramp terminal and Port Washington/ Mequon Road intersection	NO SEWRPC recommends interchange reconstruction to improve ramp geometry and traffic operations	LOW No structure or R/W impacts	LOW No wetland impact; no relocations	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans
Tight Diamond (Mainline Shifted East)	YES Addresses design deficiencies	YES Addresses safety issues related to design deficiencies and traffic operations	YES Interchange operates acceptably	YES Addresses geometry deficiencies and traffic operations problems	LOW/MODERATE Minimal structures and R/W required	LOW/MODERATE 1 business and 1 residential tenant relocation; 0.9 acre wetland impacts	YES Improves traffic operations by increasing distance between Port Washington Road/ Mequon Road intersection and SB ramps; requires improvements to Port Washington Road/Mequon Road intersection
Partial Offset Diamond	YES Addresses design deficiencies	YES Addresses safety issues related to design deficiencies and traffic operations	YES Interchange operates acceptably	YES Addresses geometry deficiencies and traffic operations problems	MODERATE More structures required; R/W required	LOW/MODERATE 1 business and 1 residential tenant relocation; 0.8 acre wetland impacts	NO Improves traffic operations by further increasing distance between Port Washington Road/Mequon Road intersection and SB exit ramp; additional cost of new structures with no added benefit to traffic operations
Single-Point	YES Addresses design deficiencies	YES Addresses safety issues related to design deficiencies and traffic operations	NO Insufficient distance between SB ramps and Port Washington Road/ Mequon Road intersection	YES Meets interchange reconstruction recommendation, but does not resolve traffic operation problems	MODERATE Larger overpass structures required	LOW No relocations; wetland impact not calculated, but similar to Tight Diamond and Partial Offset Diamond	NO Does not address traffic operations problems; highest cost alternative; eastbound to southbound turning movements are not improved

Note: All build alternatives include TSM/TDM measures.

2010-05252-ADI,  
Page 7 of 8  
ENCLOSURE



Alternatives	Key Purpose and Need Factors				Other Factors		Retain Alternative for Detailed Study?
	Addresses Design Deficiencies?	Improves Safety?	Addresses Future Traffic Demand?	Consistent with Regional Plan?	Relative Total Cost (construction, right of way acquisition)	Magnitude of Environmental Impacts	
HIGHLAND ROAD (no existing interchange at this location)							
No Access	NA	NA	YES Increased R/W impacts to Port Washington/ Mequon intersection to accommodate travel demand; improvements required at County C/Port Washington intersection	NO SEWRPC would need to update the long range plan to account for no access	LOW No interchange constructed	LOW/MODERATE No relocations; 1.9 acres wetland impacts associated with I-43 mainline reconstruction	YES No interchange would be constructed without a local cost share agreement
Tight Diamond	YES Would meet current design standards	YES Building to current design standards maintains safety	YES Interchange operates acceptably; accommodates travel demand	YES	MODERATE Retaining walls required; R/W Impacts	LOW/MODERATE No relocations; 3.9 acres wetland impacts	YES Alternative conforms to regional plans by creating a full interchange at this location; helps manage future traffic demand at Port Washington Road Intersections with Mequon Road and County C
PIONEER ROAD/COUNTY C INTERCHANGE							
Spot Improvements	NO Deteriorated pavement not replaced. Substandard design and shoulders not improved	YES (spot locations) Ramp improvements create safer entrance/exit operations	NO Does not address operational problems at ramp terminals	NO SEWRPC recommends interchange reconstruction to improve ramp geometry and traffic operations	LOW Structure replacement likely due to age	LOW No relocations; wetland impacts not calculated, but lower than Diamond interchange	NO Does not address design deficiencies or future traffic demand; limited improvement of safety issues; not consistent with regional transportation plans
Diamond	YES Addresses design deficiencies	YES Addresses safety issues related to design deficiencies and traffic operations	YES Interchange operates acceptably	YES Addresses geometry deficiencies and traffic operations problems	LOW Structure replacement and R/W Impacts	MODERATE No relocations; 4.8 acres wetland impacts	YES Maintains existing Interchange configuration but improves traffic operations at ramp terminals

2010-05252-ADJ,  
Page 8 of 8  
ENCLOSURE



**State of Wisconsin**  
**DEPARTMENT OF NATURAL RESOURCES**  
Southeast Region Headquarters  
2300 N. Dr. Martin Luther King Jr. Dr.  
Milwaukee, WI 53212

Scott Walker, Governor  
Cathy Stepp, Secretary  
Eric Nitschke, Regional Director  
Telephone 414-263-8570



March 6, 2014

Monica Wauck  
Project Manager  
Wisconsin Department of Transportation  
1001 W. St. Paul Avenue  
Milwaukee, WI 53203

Subject: **WDNR Preliminary Concurrence on Preferred Alternative**  
Project I.D. 1229-04-01  
USH I-43 Corridor Study  
Bender Drive to STH 60  
Milwaukee and Ozaukee Counties

Dear Ms. Wauck:

The Department has received the information you provided for the proposed above referenced project. According to your proposal, the purpose of this project is to study the corridor, including the service interchanges and adjacent arterial roads in Milwaukee and Ozaukee Counties to identify safety concerns, assess physical condition and configuration of the roadways and identify potential environmental concerns and socioeconomic factors that may be affected by reconstruction of the corridor. This is a long-range study with no construction planned at this time.

Preliminary information has been reviewed by DNR staff for the project under the DOT/DNR Cooperative Agreement. Initial comments on the resources in the corridor were provided by the Department in November of 2012. Resources that will be potentially impacted by this project include, but are not limited to, wetlands, waterways, floodplains, environmental corridors, state threatened and endangered species, federally and internationally protected species, air quality, water quality, public lands and recreational trails. In addition, the project has the potential to affect other environmental factors including, but not limited to, noise levels, disturbance of contaminated soil or groundwater, invasive species and impacts to historic or archeological sites.

This letter serves as Preliminary Concurrence on the Preferred Alternative for the study that has been developed by WisDOT for the I-43 Corridor in Milwaukee and Ozaukee Counties, as outlined in the Draft Environmental Impact Statement submitted to the Department in February 2014. Preliminary Concurrence is granted with the condition that WisDOT will make all efforts to avoid and minimize impacts to resources to the extent practicable and will compensate for unavoidable impacts to resources through, but not limited to, mitigation, restoration, preservation and creation of similar habitat in accordance with all state and federal regulations and requirements..

Thank you for the opportunity to contribute to this project. I look forward to continued coordination throughout the progression of the study. Please contact me with any questions or if the Department can assist further.

Sincerely,

*Kristina Betzold*  
Kristina Betzold



Environmental Analysis & Review Specialist  
Southeast Region

CC: Steve Hoff, WisDOT  
Caron Closer, HNTB  
Scott Lee, WisDOT  
Mike Thompson, WDNR



State of Wisconsin  
Governor Scott Walker

**Department of Agriculture, Trade and Consumer Protection**  
Ben Brancel, Secretary

February 28, 2014

Ms. Monica Wauck  
Wisconsin Department of Transportation  
1001 West St. Paul Avenue  
Milwaukee, WI 53203

Re: I-43 North-South-Freeway Corridor Study: Silver Spring Dr. to STH 60  
WisDOT ID# 1229-04-01  
Milwaukee and Ozaukee Counties

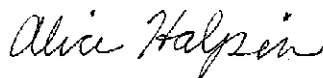
Dear Ms. Wauck:

Thank you for allowing the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) the opportunity to comment on the selection of a preferred alternative for the proposed I-43 Corridor Study from Silver Spring Drive to State Trunk Highway 60.

The preferred alternative identified in the DEIS does not appear to have significant impacts on individual farm operations or agriculture in general. All of the proposed acquisitions of farmland would be in strips along existing right-of-way, all but one acquisition of farmland would be less than one acre in size, the largest acquisition of farmland would be just over 2 acres in size, no farm buildings would be affected, and no access to farmland would change. Access between farm parcels may be affected if the proposed changes to any of the interchanges interferes with existing travel patterns. However, this impact, if it occurs, is likely to be isolated. DATCP concurs with WisDOT's selection of the Preferred Alternative identified in the draft Environmental Impact Statement.

Please feel free to contact me if you have any questions.

Sincerely,



Alice Halpin  
Agricultural Impact Analyst

*Agriculture generates \$59 billion for Wisconsin*

2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • 608-224-5012 • Wisconsin.gov

An equal opportunity employer

## Wauck, Monica T - DOT

**Subject:** RE: I-43 North-South Corridor Study: DEIS Update and Reminder

**From:** Cook, Kimberly A - WHS  
**Sent:** Wednesday, March 05, 2014 1:36 PM  
**To:** Wauck, Monica T - DOT  
**Cc:** Greg Rainka ([Greg.Rainka@meadhunt.com](mailto:Greg.Rainka@meadhunt.com))  
**Subject:** RE: I-43 North-South Corridor Study: DEIS Update and Reminder

Thank you for the opportunity to review the draft EIS for the above project. I have two comments:

Page 3-145 in the section regarding cumulative effects and encroachment, the final sentence on this page acknowledges the historic resources within the project area but does not discuss the indirect effects. Please add a statement that explains that one aspect of significance for these historic properties is derived from their setting, which is an area much larger than their recorded historic boundary. This larger setting provides the context from which to interpret the historic resource, and the ever-widening footprint of these transportation systems is altering their setting, altering the context.

Page G-4 of the appendix show exhibits that were prepared for SHPO in response to questions I had during my review. The exhibits were supposed to have photos inset onto the maps to show the current relationship between the road and the historic boundaries. The first attempt to send these to me did not have the photos, and these appear to be the same incomplete graphics that you have in the draft EIS. Please track down the actual exhibits, which include the photos. They are very helpful and were worth the trouble. If you do not already have them, I believe Greg Rainka at the WisDOT's Cultural Resources Team should be able to get a copy for you. I've cc'd him here just in case you need to contact him.

Thank you,

**Kimberly Zunker Cook**  
Wisconsin Historical Society  
Division of Historic Preservation and Public History  
Room 300  
816 State Street  
Madison, WI 53706  
608-264-6493

Collecting, Preserving and Sharing Stories Since 1846



CITY OF GLENDALE  
ADMINISTRATIVE OFFICES

5909 North Milwaukee River Parkway  
Glendale, Wisconsin 53209-3815  
(414) 228-1705

February 12, 2014

Mr. Steve Hoff, P.E., Project Manager  
Wisconsin Department of Transportation  
141 NW Barstow Street  
P. O. Box 798  
Waukesha, WI 53187-0798

Re: I-43/North Port Washington Road

Dear Mr. Hoff:

As you know, the Glendale Common Council, on September 23, 2013, has unanimously recommended to the Wisconsin Department of Transportation the proposed redesign and reconstruction of I-43, as it bisects the City of Glendale, be shifted east with a four lane (no median) North Port Washington Road from West Bender Road north to West Daphne Road.

The City of Glendale continues to support this design option for I-43 and North Port Washington Road.

If you have any questions, please advise.

Sincerely,

CITY OF GLENDALE

Richard E. Maslowski  
City Administrator

mw

cc: Dave Eastman, City Services Director



## **C-5 AGENCY COMMENTS: OTHER CORRESPONDENCE**

**U.S. Fish and Wildlife Service ..... C-60**

**Wisconsin Department  
of Natural Resources ..... C-61**

**Wisconsin Department of Agriculture,  
Trade and Consumer Protection..... C-65**

**USDA – Farmland Conversion  
Impact Rating..... C-66**

**City of Glendale ..... C-67**





# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Green Bay BS Field Office  
2661 Scott Tower Drive  
New Franken, Wisconsin 54229-9565  
Telephone 920/866-1717 FAX 920/866-1710  
<http://www.fws.gov/midwest/GreenBay/>



To: Carrie Cooper USFWS Project ID: 13-SL-0062  
Regarding your: ☐ Letter ☒ E-mail ☐ FAX Dated: December 03, 2012  
RE: WisDOT I-43 NS Freeway Corridor Study, T&E Species, Ozaukee and Milwaukee Counties, Wisconsin

Pursuant to the **Endangered Species Act of 1973**, the **Fish and Wildlife Coordination Act**, and the **Migratory Bird Treaty Act**, the U.S. Fish and Wildlife Service (Service) has reviewed the information provided for the project noted above. Our comments follow (see checked boxes below).

- ☒ Due to the project location, no federally-listed, proposed, or candidate species, or designated critical habitat occurs within the project area. We recommend checking our website (<http://www.fws.gov/midwest/GreenBay/>) every 6 months from the date of this letter to ensure that listed species presence/absence information for the proposed project is current.
- ☐ If migratory birds are known to nest on any structures (e.g., bridges) which may be disturbed by project construction, activities should begin (and be concluded) before the initiation of the breeding season for those species or after the breeding has concluded. Alternatively, the structures can be *lightly screened* before the breeding season (May 1 through August 30) to prevent nesting. If you will not be able to begin construction prior to or after the breeding season, please contact our office.
- ☐ Under the Migratory Bird Treaty Act of 1918, as amended, it is unlawful to take, capture, kill, or possess migratory birds, their nests, eggs, and young. If migratory birds are known to nest on any structures or habitat which may be disturbed by project construction, activities (e.g., tree removal) should begin and be completed before the initiation of the breeding season for those species or after breeding has concluded. Generally, we recommend that any habitat disturbance occur before May 1 or after August 30 to minimize potential impacts to migratory birds, but please be aware that some species may initiate nesting before May 1.
- ☐ We recommend, when possible, that bridges and abutments be designed and constructed in such a way as to allow terrestrial wildlife to pass under the bridge without entering the river during normal flow conditions. This may require lengthening the bridge, limitations on the use of exposed riprap, modifications to the surface of the riprap (e.g., grouting the surface or filling with soil or other natural materials), or modifications in the substrate and/or slope at the base of the abutments, as some wildlife species cannot or prefer not to traverse areas of riprap.
- ☐ The Service supports and encourages the maintenance or creation of habitat connectivity wherever possible. As such, we recommend installing bridges or culverts that do not impede the movement of water, sediments, or aquatic species along existing waterways. Specifically, we strongly recommend replacing failing culverts with bridges or bottomless culverts where possible. At minimum, we recommend new culverts be set at a zero slope, with a width that matches bank flow.
- ☒ We note that the project area includes wetlands. In refining and selecting project alternatives, efforts should be made to select an alternative that does not adversely impact wetlands. If no other alternative is feasible and it is clearly demonstrated that project construction resulting in wetland disturbance or loss cannot be avoided, a wetland mitigation plan should be developed that identifies measures proposed to minimize adverse impacts and replace lost wetland habitat values and other wetland functions and values.

USFWS Contact(s): Peter Fasbender Phone Number: 920-866-1725  
Date: January 23, 2013

**State of Wisconsin**  
DEPARTMENT OF NATURAL RESOURCES  
Southeast Region Headquarters  
2300 N. Dr. Martin Luther King Jr. Dr.  
Milwaukee, WI 53212

Scott Walker, Governor  
Cathy Stepp, Secretary  
Eric Nitschke, Regional Director  
Telephone 414-263-8570



November 6, 2012

Carrie Cooper  
Project Manager  
Wisconsin Department of Transportation  
1001 W. St. Paul Avenue  
Milwaukee, WI 53203

Subject: **DNR Initial Project Review**  
Project I.D. 1229-04-01  
USH I-43 Corridor Study  
Silver Spring Drive to STH 60  
Milwaukee and Ozaukee Counties

Dear Ms. Cooper:

The Department has received the information you provided for the proposed above referenced project. According to your proposal, the purpose of this project is to study the corridor, including the service interchanges and adjacent arterial roads in Milwaukee and Ozaukee Counties to identify safety concerns, assess physical condition and configuration of the roadways and identify potential environmental concern and socioeconomic factors that may be affected by the corridor. This is a long-range study with no construction planned at this time.

Preliminary information has been reviewed by DNR staff for the project under the DOT/DNR Cooperative Agreement. Initial comments on the resources in the corridor are included below and assume that additional information will be provided that addresses all resource concerns identified.

### **Project-Specific Resource Concerns**

#### **Public Lands**

Section 6(f) of the federal Land and Water Conservation Act requires that special steps be taken when land acquired with funds using LWCF (*aka* LAWCON) funding is converted from a recreational use to any other use (e.g., highway right-of-way). These lands must be replaced with property of equal market value as well as equivalent usefulness and location. The Department, together with the National Park Service, administers this program.

Efforts should be taken to avoid impacts to these lands. If it is determined that avoidance is not practicable, then the department will begin the 6(f) process with WisDOT and the National Park Service. This is a lengthy process, which can take one year or longer to complete, so adequate planning will be necessary. The process is coordinated by the DNR Liaison, working with the DNR's State LWCF Grants Manager.

There is an additional U.S. Dept. of Transportation "Section 4(f)" process for federally funded transportation projects that impact various types of public parks, wildlife refuges, and recreation areas. This requirement is coordinated by state and federal transportation departments. Please be aware that while both the 4(f) and 6(f)

processes may be initiated concurrently, DNR must have final 4(f) approval from the Federal Highways Administration before we may send 6(f) materials to the National Park Service for their approval.

### **Wetlands & Waterways**

There is potential for wetland impacts to occur as a result of this project and therefore wetland impacts must be avoided and/or minimized to the greatest extent possible. Unavoidable wetland impacts must be mitigated in accordance with the DOT/DNR Cooperative Agreement and the Wisconsin Department of Transportation Wetland Mitigation Banking Technical Guideline. The Department requests information regarding the amount and type of unavoidable wetland impacts that will result as an effect of the project alternatives.

The Milwaukee River and all know tributaries in the project corridor are navigable waterways. In addition the Milwaukee River and Ulao Creek have been designated as Areas of Special Natural Resource Interest (ASNRI) waters. Impacts to these waterways and associated wetland complexes should be minimized. Construction impacts in the Milwaukee River and the known tributaries will be prohibited between March 1<sup>st</sup> and June 15<sup>th</sup> to protect endemic fish spawning.

### **Endangered Resources (ER)**

**Endangered Resources are present:** Based upon a review of the Natural Heritage Inventory (NHI) and other Department records on November 6, 2012 the following Endangered Resources have been recently observed in the project area or its vicinity and could be impacted by this project.

Striped Shiner ( <i>Luxilus chrysocephalus</i> )	Fish	Endangered
Redfin Shiner ( <i>Lythrurus umbratilis</i> )	Fish	Threatened
Greater Redhorse ( <i>Moxostoma valenciennesi</i> )	Fish	Threatened
Forked Aster ( <i>Aster furcatus</i> )	Plant	Threatened
Hairy Beardtongue ( <i>Penstemon hirsutus</i> )	Plant	Threatened

The Department will initiate coordination with the Bureau of Endangered Resources.

### **Culverts/Aquatic organism passage**

Road stream crossing bridges and culverts should be assessed as part of the study. If bridges or culverts are to be replaced as a part of the project they should be set in such a manner that it does not cause stream fragmentation and allows fish and other aquatic organisms to migrate upstream and downstream during low-flow conditions. This requires that the invert be set an adequate distance below the final streambed elevation to allow a natural and continuous streambed condition to occur. A gravel bed substrate may be installed in the culvert to obtain this condition. The desired end-result is that during high-flow conditions, the stream does not cause a large pool (scour hole) to develop at the downstream edge of the structure. Such a pool can act as an impassable barrier to aquatic organisms during low-flow conditions.

### **Migratory birds**

Based on the information provided/based on site review, there is evidence of migratory bird nesting on existing structures in the corridor. Under the U.S. Migratory Bird Treaty Act, destruction of swallows and other migratory birds or their nests is unlawful unless a permit has been obtained from the U.S. Fish & Wildlife Service.

Therefore, the project should either utilize measures to prevent nesting (*e.g., remove unoccupied nests during the non-nesting season and install barrier netting prior to May 1*), or should occur only between August 30<sup>th</sup> and May 1<sup>st</sup> (non-nesting season). If netting is used, ensure it is properly maintained, then removed as soon as the nesting period is over. If neither of these options is practicable then the U.S. Fish & Wildlife Service must be contacted to apply for a depredation permit.

### **Invasive species & VHS**

For work involving water bodies:

All equipment must be properly cleaned and disinfected to address the spread of invasive species and viruses. Special provisions should require contractors to implement the following measures before and after mobilizing in-water equipment to prevent the spread of Viral Hemorrhagic Septicemia (VHS), Zebra Mussel, and other invasive species. Follow **STSP 107-055** Environmental Protection – Aquatic Exotic Species Control, which includes the protocol found here: [http://dnr.wi.gov/fish/documents/disinfection\\_protocols.pdf](http://dnr.wi.gov/fish/documents/disinfection_protocols.pdf)

For up to date information on invasive species and infested waters go to:  
<http://dnr.wi.gov/lakes/invasives/AISByWaterbody.aspx>

### **Floodplains**

A determination must be made as to what portions of the project lie within a mapped/zoned floodplain. In order to meet the standards of NR 116, Floodplain Management, a hydraulic and hydrologic analysis must be conducted for the 100-year flood event for any new structure or existing structure that is not being replaced “in-kind” within a mapped floodplain. These results must be submitted to the Department and the plans for the structure must comply with the provisions of the local community’s floodplain zoning ordinance. For areas lying outside mapped/zoned floodplain, DNR may request the results of DOT flow and backwater calculations.

### **Dredging**

The width and depth of the Milwaukee River and all tributaries to the Milwaukee River must not be altered. However, a minor amount of dredging necessary to place structure elements is permissible.

### **Emerald Ash Borer**

This project has the potential for spreading the Emerald Ash Borer (EAB) beetle. It is illegal to move or transport ash material, the emerald ash borer, and hardwood debris (i.e. firewood) from EAB quarantined areas to a non-quarantined area without a compliance agreement issued by WI Department of Agriculture, Trade and Consumer Protection. Regulated items include cut hardwood (non-coniferous) firewood, ash logs, ash mulch or bark fragments larger than one inch in diameter, or ash nursery stock (DATCP statute 21).

For more information regarding the EAB and quarantine areas please follow the links below:

[http://datcpservices.wisconsin.gov/eab/articleassets/WI\\_EAB\\_Quarantines\\_and\\_Locations.pdf](http://datcpservices.wisconsin.gov/eab/articleassets/WI_EAB_Quarantines_and_Locations.pdf)  
<http://datcpservices.wisconsin.gov/eab/index.jsp>



Page 4

### Asbestos

Structural demolition of the existing roadway may expose asbestos. The environmental document should include an asbestos assessment and if necessary an asbestos abatement plan A Notification of Demolition and/or Renovation and Application for Permit Exemption, DNR form 4500-113 (NR 406, 410, and 447 Wis. Adm. Code) may be required. Please refer to DOT FDM 21-35-45 and the DNR's notification requirements web page: <http://www.dnr.state.wi.us/air/compenf/asbestos/reqfees.htm> for further guidance on asbestos inspections and notifications.

Contact Mark Davis, Air Management Specialist 608-266-3658, with questions on the form. The DNR's online notification system is available at <http://www.dnr.state.wi.us/air/compenf/asbestos/notify.htm>. The notification must be submitted 10 working days in advance of demolition projects.

### Air Quality

DNR recommends that the environmental analysis assess existing and projected air pollutant emissions, health risks, identify sensitive receptors, and alternatives to minimize temporary construction and long term air quality impacts.

### Contaminated / Hazardous Materials

Properties with documented soil and/or groundwater contamination are present in the in the project area. An assessment of these properties should be included in the environmental study. The Department Solid and Hazardous Waste Information Management System (SHWIMS) provides an on-line database of landfills, waste transporters, hazardous waste generation, and waste processing facilities. The database has links to information about spills, leaks, Superfund cleanups and other contaminated sites that have been discovered and reported. The web address is <http://sotw.dnr.state.wi.us/sotw/Welcome.do>. Additional information is available at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

Thank you for the opportunity to contribute to this project. I look forward to continued coordination throughout the progression of the study. Please contact me with any questions or if the Department can assist further.

Sincerely,

*Kristina Betzold*

Kristina Betzold  
Environmental Analysis & Review Specialist  
Southeast Region

CC: Steve Hoff, WisDOT  
Caron Closer, HNTB  
Scott Lee, WisDOT  
Karla Liethoff, WisDOT  
Joanne Kline, WDNR  
Mike Thompson, WDNR



State of Wisconsin  
Governor Scott Walker

**Department of Agriculture, Trade and Consumer Protection**  
Ben Brancel, Secretary

August 9, 2013

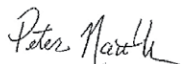
Monica Wauck  
WISDOT  
1001 W St. Paul Avenue  
Milwaukee, WI 53203

Dear Monica Wauck:

Re: Project ID: 1229-04-01  
Project Name: I-43 Freeway Conversion Study  
County: Milwaukee  
Ozaukee

The Department of Agriculture, Trade, and Consumer Protection (DATCP) has reviewed the notification and any supplemental information you have provided concerning the potential need for an agricultural impact statement (AIS) for the above project. We have determined that an AIS will not be prepared for this project.

Please note that if the proposed project or project specifications are altered in any way which could be construed as increasing the potential adverse effects of the project on agriculture or on any farm operation, the DATCP should be renotified. Questions on the AIS program can be directed to me at the above address or by dialing 608/224-4650.



Peter Nauth  
Agricultural Impact Program

DATCP ID: #3840

*Agriculture generates \$59 billion for Wisconsin*  
2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • Wisconsin.gov  
An equal opportunity employer





## U.S. Department of Agriculture

**FARMLAND CONVERSION IMPACT RATING**

<b>PART I (To be completed by Federal Agency)</b>		Date Of Land Evaluation Request 7/23/13			
Name Of Project I-43 North-South Freeway Corridor Study		Federal Agency Involved Federal Highway Administration			
Proposed Land Use Freeway improvement and expansion		County And State Project: Milwaukee and Ozaukee counties, WI			
<b>PART II (To be completed by NRCS)</b>		Date Request Received By NRCS			
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply -- do not complete additional parts of this form).		Yes <input type="checkbox"/>	No <input type="checkbox"/>	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %			Amount Of Farmland As Defined in FPPA Acres: %	
Name Of Land Evaluation System Used	Name Of Local Site Assessment System	Date Land Evaluation Returned By NRCS			
<b>PART III (To be completed by Federal Agency)</b>		<b>Alternative</b>			
		w/ or w/o Highland I/C			
A. Total Acres To Be Converted Directly		9.6			
B. Total Acres To Be Converted Indirectly		0.0			
C. Total Acres In Site		9.6	0.0	0.0	0.0
<b>PART IV (To be completed by NRCS) Land Evaluation Information</b>					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide And Local Important Farmland					
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value					
<b>PART V (To be completed by NRCS) Land Evaluation Criterion</b>					
Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)		100	0	0	0
<b>PART VI (To be completed by Federal Agency)</b>		<b>Maximum Points</b>			
Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))					
1. Area In Nonurban Use		4			
2. Perimeter In Nonurban Use		3			
3. Percent Of Site Being Farmed		3			
4. Protection Provided By State And Local Government		20			
5. Distance From Urban Builtup Area NOT APPLICABLE					
6. Distance To Urban Support Services NOT APPLICABLE					
7. Size Of Present Farm Unit Compared To Average		0			
8. Creation Of Nonfarmable Farmland		0			
9. Availability Of Farm Support Services		3			
10. On-Farm Investments		3			
11. Effects Of Conversion On Farm Support Services		0			
12. Compatibility With Existing Agricultural Use		0			
TOTAL SITE ASSESSMENT POINTS		160	36	0	0
<b>PART VII (To be completed by Federal Agency)</b>					
Relative Value Of Farmland (From Part V)		100	100	0	0
Total Site Assessment (From Part VI above or a local site assessment)		160	36	0	0
TOTAL POINTS (Total of above 2 lines)		260	136	0	0
Site Selected:		Date Of Selection		Was A Local Site Assessment Used?	
Reason For Selection:				Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

B-44

(See Instructions on reverse side)

This form was electronically produced by National Production Services Staff

Form AD-1006 (10-83)

CITY OF GLENDALE  
ADMINISTRATIVE OFFICES5909 North Milwaukee River Parkway  
Glendale, Wisconsin 53209-3815

(414)228-1705

September 24, 2013

Mr. Steve Hoff, P.E., Project Manager  
Wisconsin Department of Transportation  
141 NW Barstow Street  
P. O. Box 798  
Waukesha, WI 53187-0798

Re: I-43/North Port Washington Road

Dear Mr. Hoff:

Please be advised that the Glendale Common Council, on September 23, 2013, has unanimously recommended to the Wisconsin Department of Transportation the proposed redesign and reconstruction of I-43, as it bisects the City of Glendale, be shifted east with a four lane (no median) North Port Washington Road from West Bender Road north to West Daphne Road.

If you require any additional information, please advise.

Sincerely,

CITY OF GLENDALE



Richard E. Maslowski  
City Administrator

mw



## C-6 SECTION 106 COORDINATION

Ho-Chunk Nation ..... C-69

Forest County Potawatomi..... C-71

Section 106 Review Form ..... C-72

Determination  
of Eligibility Forms ..... C-75 – C-85

Correspondence:  
Village of Whitefish Bay  
on behalf of North Shore  
Water Commission ..... C-86

Meeting Minutes:  
Elderwood House Property Owners ..... C-87

SHPO Concurrence on Effect  
and Section 4(f) *de minimis* Finding ..... C-88

## Wauck, Monica T - DOT

**From:** Bill L. Quackenbush [Bill.Quackenbush@ho-chunk.com]  
**Sent:** Tuesday, April 23, 2013 7:58 AM  
**To:** Hoff, Steve - DOT  
**Cc:** Burkel, Rebecca - DOT; 'Bethaney.Bacher-Gresock@dot.gov'; Waldschmidt, Jay - DOT; Becker, James - DOT; Becherer, Mark; Wauck, Monica T - DOT; Caron Kloser  
**Subject:** RE: Continued section 106 coordination, I-43 Corridor Study

Good morning Steve Hoff,

The Ho-Chunk Nation has no section 106 questions or concerns regarding any known archeological sites within the Area of Potential Effects of your proposed undertaking known as the I-43 corridor project, that we can disclose to you at this time.

Please consider us as an interested party throughout the duration of your proposed project.

Thank you for your time in this regard,

William Quackenbush  
Tribal Historic Preservation Officer  
Ho-Chunk Nation

---

**From:** Hoff, Steve - DOT [mailto:Steve.Hoff@dot.wi.gov]  
**Sent:** Tuesday, April 23, 2013 7:44 AM  
**To:** Bill L. Quackenbush  
**Cc:** Burkel, Rebecca - DOT; 'Bethaney.Bacher-Gresock@dot.gov'; Waldschmidt, Jay - DOT; Becker, James - DOT; Becherer, Mark; Wauck, Monica T - DOT; Caron Kloser  
**Subject:** Continued section 106 coordination, I-43 Corridor Study

Dear Mr. Quackenbush:

In a continued effort to coordinate and seek participation in the project development process, Section 106 coordination, the Wisconsin Department of Transportation (WisDOT), in cooperation with the Federal Highway Administration, are requesting any comments your tribe wishes to share regarding potential impacts to historic properties (which may include archaeological sites, burial sites, traditional cultural properties, historic buildings/structures) and/or culturally sensitive areas. We recognize the challenges inherent in consulting with geographically dispersed parties with varying work schedules and travel options. To foster and maintain communication through the consultation process, alternatives to in-person, government-to-government meetings will be made upon request. Alternative consultation/coordination arrangements may include, but are not limited to, tele-conferencing, video-conferencing, and sharing/exchange of information via email or standard mail. Comments and/or requests for additional information may be directed to any of the following representatives:

FHWA	WisDOT Cultural Resources	WisDOT Region
Bethaney Bacher-Gresock Wisconsin Division 525 Junction Road, Suite 8000 Madison, Wisconsin 53717 Phone (608) 662-2119 Email: Bethaney.Bacher-Gresock@dot.gov	James J. Becker III WisDOT BTS – Cultural Resources 4802 Sheboygan Ave. P.O. Box 7965 Madison, WI 53707-7965 Phone (608)261-01373 Email: James.Becker@dot.state.wi.us	Steve Hoff, Project Manager WisDOT SE Region 141 N.W. Barstow Street, P.O. Box 7 Waukesha, WI 53187-0798 Phone (262) 548-6718 Email: steve.hoff@dot.wi.gov

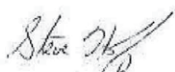
**Additional Background reference information:**

- In July of 2012, a project notification letter of this undertaking was sent to your tribe requesting comments, and participation as a consulting party (*enclosed*)
- In October 2012; WisDOT (Ms. Carrie Cooper) provided a project overview and addressed questions at the WisDOT/THPO meeting held in Bad River
- Most recently, a meeting was held on April 12, 2013 to provide an update on project status. (*Meeting minutes will be sent separately*)

**Project Information:**

The department is currently preparing an EIS (Environmental Impact Statement) for the I-43 North-South Freeway Corridor between Silver Spring Drive and WIS 60, a distance of about 14 miles, in Milwaukee and Ozaukee counties (see attached project location map). The scope of the project would reconstruct the freeway to replace deteriorated pavement, meet current design standards and accommodate future travel demand. The project includes alternatives that provide additional capacity on I-43 and upgrade existing interchanges at Good Hope Road, Brown Deer Road, County Line Road, Mequon Road, and County C. A possible new interchange at Highland Road in the City of Mequon will also be evaluated. Additional information is also available at the project website: <http://www.dot.wisconsin.gov/projects/seregion/43/index.htm>

Sincerely,



Steve Hoff, PE  
WisDOT Project Manager

**Important Notice:**

This email message and any files or other information transmitted with it are confidential and intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, you should not review, disclose, distribute or copy this e-mail or take any action in reliance upon its contents. Please notify the sender immediately if you have received this e-mail by mistake and delete this e-mail from your system. Please note that any views or opinions presented in this e-mail are solely those of the author and do not necessarily represent those of the Ho-Chunk Nation. The Ho-Chunk Nation specifically disclaims liability for any damage caused by any virus transmitted by this e-mail.





## Forest County Potawatomi

Cultural Center and Museum

July 31, 2012

Lynn Cloud  
Wisconsin Department of Transportation  
4802 Sheboygan Avenue  
Room 451  
Madison, Wisconsin 53707

Re: Project ID: 1229-04-01 I-43 North-South Freeway Corridor Study, Milwaukee and Ozaukee Counties

Dear Lynn Cloud,

Thank you for the notice of intent for the proposed project references above, as provided in the letter from Steve Hoff dated July 13, 2012. As this project occurs within Potawatomi ancestral and previously occupied lands, we would like to express our concerns with any impacts to historic and cultural properties located within the project area of potential effect for the project mentioned above.

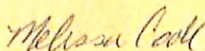
We appreciate receiving results of an archival review, cultural resource investigation studies, and archaeological reports. Should there be an impact or effect to historic properties as a result of this project, we will request consultation pursuant to Section 106 of the National Historic Preservation Act, as amended.

If you have any questions or concerns, please contact me at 715-478-7248 or email at [Melissa.Cook@fcpotawatomi-nsn.gov](mailto:Melissa.Cook@fcpotawatomi-nsn.gov). You may send the results of the archival review and archaeological report to:

Forest County Potawatomi Community  
Melissa Cook  
Tribal Historic Preservation Officer  
8130 Mish ko swen Drive  
P.O. Box 340  
Crandon, WI 54520  
[Melissa.Cook@fcpotawatomi-nsn.gov](mailto:Melissa.Cook@fcpotawatomi-nsn.gov) (for digital format)

Your interest in protecting Wisconsin's and Forest County Potawatomi Community's cultural and historic properties is appreciated.

Respectfully,



Melissa Cook  
Tribal Historic Preservation Officer

5460 Everybody's Road • Crandon, Wisconsin 54520  
Telephone (715) 478-7474 • (800) 960-5479 • Fax (715) 478-7482

WisDOT ID 1229-04-01 Section 106 Correspondence

9



**SECTION 106 REVIEW  
ARCHAEOLOGICAL/HISTORICAL INFORMATION**Wisconsin Department of Transportation  
DT1635 11/2006**SHPO**

For instructions, see FDM Chapter 26

**I. PROJECT INFORMATION**

Project ID 1229-04-01	Highway - Street Interstate Highway 43 (I-43)	County Ozaukee, Milwaukee
Project Termini Silver Spring Drive, State Trunk Highway (STH) 60		Region - Office Southeast Region
Regional Project Engineer - Project Manager Steve Hoff, WisDOT SER	<b>RECEIVED</b>	Area Code - Telephone Number (262) 548-6718
Consultant Project Engineer - Project Manager Mark Becherer, HNTB Corporation	<b>AUG 21 2013</b>	Area Code - Telephone Number (414) 359-2300
Archaeological Consultant Allen Van Dyke, AVD Archaeological Services, Inc.	<b>DIV HIST PRES</b>	Area Code - Telephone Number (262) 878-0510
Architecture/History Consultant Emily Pettis, Mead & Hunt, Inc and John Vogel, Heritage Research LTD		Area Code - Telephone Number (608) 273-6380 and (262) 251-7792
Date of Need		SHSW # 12-0649/MI/DZ

Return a signed copy of this form to:

*pg 1/3*

**II. PROJECT DESCRIPTION**

Project Length approx. 14 miles	Land to be Acquired: Fee Simple to be determined acres	Land to be Acquired: Easement to be determined acres
------------------------------------	---	---

Distance as measured from existing centerline	Existing	Proposed	Other Factors	Existing	Proposed
Right-of-Way Width See continuation sheets			Terrace Width		
Shoulder			Sidewalk Width		
Slope Intercept			Number of Lanes		
Edge of Pavement			Grade Separated Crossing		
Back of Curb Line			Vision Triangle acres		
Realignment			Temporary Bypass acres		
Other - List:			Stream Channel Change	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Attach Map(s) that depict "maximum" impacts.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Tree topping and/or grubbing	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Brief Narrative Project Description - Include all ground disturbing activities. For archaeology, include plan view map indicating the maximum area of ground disturbance and/or new right-of-way, whichever is greater. Include all temporary, limited and permanent easements.

See continuation sheet for description of potential ground-disturbing activities and maps

☒ Add continuation sheet, if needed.



## CONTINUATION SHEET

## SECTION 106 REVIEW

## ARCHAEOLOGICAL/HISTORICAL INFORMATION

WisDOT Form DT 1635

I-43, Silver Spring Drive to WIS 60

WisDOT ID 1229-04-01

## II. PROJECT DESCRIPTION

## Brief Narrative Project Description:

The project includes proposed improvements to the I-43 corridor between Silver Spring Drive and WIS 60 in Milwaukee and Ozaukee Counties. The corridor passes through the communities of Grafton, Mequon, River Hills, Fox Point, Bayside, Glendale, and Whitefish Bay. Various alternatives will be investigated, including widening the road from four to six lanes, alignment shifts, reconstructing and realigning a railroad overpass, and a potential new interchange at Highland Road. Intersection improvements will also be considered at specific locations along the adjacent Port Washington Road corridor.

In lieu of the Project Description Chart on page 1 of the Section 106 Review Form, the attached maps indicate the proposed project plans adjacent to each historic site. These historic site exhibits include only those identified as eligible.

RECEIVED

AUG 21 2013

DIV HIST PRES

12-0649/MI/02

p 2/3

III. CONSULTATION

How has notification of the project been provided to:  
☒ Property Owners  
☒ Public Information Meeting Notice  
☒ Letter - Required for Archaeology  
☐ Telephone Call  
☐ Other:

☒ Historical Societies/Organizations  
☒ Public Information Meeting Notice  
☒ Letter  
☐ Telephone Call  
☐ Other:

☒ Native American Tribes  
☒ Public Info. Mtg. Notice  
☒ Letter  
☐ Telephone Call  
☒ Other: Emails and project updates

\*Attach one copy of the base letter, list of addresses and comments received. For history include telephone memos as appropriate.

IV. AREA OF POTENTIAL EFFECTS - APE

ARCHAEOLOGY: Area of potential effect for archaeology is the existing and proposed ROW, temporary and permanent easements. Agricultural practices do not constitute a ground disturbance exemption.

HISTORY: Describe the area of potential effects for buildings/structures.

The APE includes a variable buffer of 100 to 500 feet from I-43 including all parcels within or abutting the buffer zone, as well as most properties along Port Washington Road. See Map.

RECEIVED

AUG 21 2013

V. PHASE I ARCHEOLOGICAL OR RECONNAISSANCE HISTORY SURVEY NEEDED

ARCHAEOLOGY

☒ Archaeological survey is needed  
☐ Archaeological survey is not needed - Provide justification  
☐ Screening list (date).

HISTORY

☒ Architecture/History survey is needed  
☐ Architecture/History survey is not needed  
☐ No structures or buildings of any kind within APE  
☐ Screening list (date).

DIV HIST PRES

VI. SURVEY COMPLETED

ARCHAEOLOGY

☒ NO archaeological sites(s) identified - ASFR attached  
☐ NO potentially eligible site(s) in project area - Phase I Report attached  
☐ Potentially eligible site(s) identified-Phase I Report attached  
☐ Avoided through redesign  
☐ Phase II conducted - go to VII (Evaluation).  
☐ Phase I Report attached - Cemetery/cataloged burial documentation

HISTORY

☐ NO buildings/structures identified - A/HSF attached  
☒ Potentially eligible buildings/structures identified in the APE - A/HSF attached  
☐ Potentially eligible buildings/structures avoided - documentation attached

VII. DETERMINATION OF ELIGIBILITY (EVALUATION) COMPLETED

☐ No arch site(s) eligible for NRHP - Phase II Report attached  
☐ Arch site(s) eligible for NRHP - Phase II Report attached  
☐ Site(s) eligible for NRHP - DOE attached

☐ No buildings/structure(s) eligible for NRHP - DOE attached  
☒ Building/structure(s) eligible for NRHP - DOE attached

VIII. COMMITMENTS/SPECIAL PROVISIONS - must be included with special provisions language

To be determined through consultation

Per Wis. Stat. 157.70, within one year from start of construction activities, WisDOT (coordinate w/ CRT) must request the WHS-HP for authorization to work w/in the boundaries of burial sites: BOZ-0021 (Lakefield Cemetery) & BMI-0018 (Union Cemetery).

IX. PROJECT DECISION

☐ No historic properties (historical or archaeological) in the APE.  
☐ No historic properties (historical or archaeological) affected.  
☒ Historic properties (historical and/or archaeological) may be affected by project;  
☒ Go to Step 4: Assess affects and begin consultation on affects  
☐ Documentation for Determination of No Adverse Effects is included with this form. WIDOT has concluded that this project will have No Adverse Effect on historic properties. Signature by SHPO below indicates SHPO concurrence in the DNAE and concludes the Section 106 Review process for this project.

12-0649/MI/02

Pg 3/3

*Mark J...*  
 (Regional Project Manager)

7/29/13  
 (Date)

*Mark B...*  
 (Consultant Project Manager)

7/29/13  
 (Date)

*Raeon Bell*  
 (WIDOT Historic Preservation Officer)

8/15/2013  
 (Date)

*Kevin Cook*  
 (State Historic Preservation Officer)

Sept 13 2013  
 (Date)





Wisconsin Department of Transportation  
Determination of Eligibility Form for Historic Districts

(May 2013)

Agency #: 1229-04-01

WHS #: 12-0649/MS/02

RECEIVED

AUG 21 2013

DIV HIST PRES

District Name: Clovernook Estates Residential Historic District  
Location: 400-909 W. Acacia Road; 405, 614, 630, 700, 910 & 918 W. Apple Tree Road; 406 W. Clovernook Lane; 837 & 919 W. Daphne Road; 6530, 6585 & 6615-6660 N. Elm Tree Road; 6544-6588 & 6660 N. River Road  
City & County: City of Glendale, Milwaukee County Zip Code: 53217  
Town: Range: Section:

Dates of Construction: 1903, 1937-43, 1945

## WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

8/15/13

Rebecca Burkel, WisDOT Historic Preservation Officer

Date

## State Historic Preservation Office

In my opinion, the property:

☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

9/5/13

Jim Draeger, State Historic Preservation Officer

Date

## Comments (FOR AGENCY USE ONLY):

Period of significance is 1937-1945

Division of Historic Preservation/Public History  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706



Wisconsin Historical Society  
Determination of Eligibility Form

(Revised May 2013)

RECEIVED

WisDOT Project ID #: 1229-04-01

AUG 21 2013

WHS #: 12-0649/MI/02

DIV HIST PRES

Property Name(s): North Shore Water Filtration Plant  
Address/Location: 400 W. Bender Road  
City & County: City of Glendale, Milwaukee County Zip Code: 53217  
Town: Range: Section:  
Date of Construction: 1961-1963, 1972

## WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

- ☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

8/15/13

Rebecca Burkel, WisDOT Historic Preservation Officer

Date

## State Historic Preservation Office

In my opinion, the property:

- ☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

9/5/13

Jim Draeger, State Historic Preservation Officer

Date

## Comments (FOR AGENCY USE ONLY):

Period of significance should be 1963 to 1972. It begins with the completion of the plant and ends with the construction of the originally planned expansion.

Division of Historic Preservation  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706



Wisconsin Historical Society  
Determination of Eligibility Form

(Revised May 2013)

RECEIVED

WisDOT Project ID #: 1229-04-01

AUG 21 2013

WHS #: 12-0649/MI/OZ

DIV HIST PRES

Property Name(s): Louis & Sophia Hovener House  
Address/Location: 308 N. Port Washington Road  
City & County: Town of Grafton, Ozaukee County Zip Code: 53024  
Town: 10N Range: 22E Section: 32  
Date of Construction: 1890, 1939, 2006

## WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

8/15/13

Rebecca Burkel, WisDOT Historic Preservation Officer

Date

## State Historic Preservation Office

In my opinion, the property:

Meets the National Register of Historic Places criteria.  
☒ Does not meet the National Register of Historic Places criteria.

9/12/13

Jim Draeger, State Historic Preservation Officer

Date

## Comments (FOR AGENCY USE ONLY):

Not eligible. The addition of a hipped roof is a significant loss of integrity that changed the massing, scale, form and design of the original.

Division of Historic Preservation  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706





Wisconsin Historical Society  
Determination of Eligibility Form

(Revised May 2013)

RECEIVED

WisDOT Project ID #: 1229-04-01

AUG 21 2013

WHS #:

12-0649/MI/02

DIV HIST PRES

Property Name(s): Notre Dame of the Lake  
Address/Location: 12800 North Lake Shore Drive  
City & County: City of Mequon, Ozaukee County Zip Code: 53097  
Town: Range: Section:  
Date of Construction: 1958-59, 1961, circa 1962, 1989, 1994,  
1996, 1999, 2002, 2005-2007, 2008,  
2009-10, 2010-11, 2012, 2013

## WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☐ Meets the National Register of Historic Places criteria.  
☒ Does not meet the National Register of Historic Places criteria.

  
Rebecca Burkel, WisDOT Historic Preservation Officer

9/5/2013

Date

## State Historic Preservation Office

In my opinion, the property:

☐ Meets the National Register of Historic Places criteria.  
☒ Does not meet the National Register of Historic Places criteria.

  
Jim Draeger, State Historic Preservation Officer

Date

9/5/13

## Comments (FOR AGENCY USE ONLY):

*Concern that complex is not eligible. The Chapel however, may be potentially eligible as an individual property. If there are any changes to the project, the Chapel should be reevaluated separately.*

Division of Historic Preservation  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706

Wisconsin Historical Society  
Determination of Eligibility Form

(Revised May 2013)

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

RECEIVED

AUG 21 2013

DIV HIST PRES

Property Name(s): River Hills Department of Public Works Building  
Address/Location: 7650 N. Pheasant Lane  
City & County: Village of River Hills, Milwaukee County Zip Code: 53217-3012  
Town: Range: Section:  
Date of Construction: 1962

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

*Rebecca Burkel* 8/15/13  
Rebecca Burkel, WisDOT Historic Preservation Officer Date

State Historic Preservation Office

In my opinion, the property:

☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

*Jim Draeger* 8/29/13  
Jim Draeger, State Historic Preservation Officer Date

Comments (FOR AGENCY USE ONLY):

*Not eligible*

Division of Historic Preservation  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706

**Wisconsin Historical Society  
Determination of Eligibility Form**

(Revised May 2013)

**RECEIVED**

WisDOT Project ID #: 1229-04-01

AUG 21 2013

WHS #: 12-0649/MI/02

DIV HIST PRES

Property Name(s): District #6/Lakefield School  
Address/Location: 1206 Lakefield Road  
City & County: Town of Grafton, Ozaukee County Zip Code: 53024  
Town: 10N Range: 22E Section: 30  
Date of Construction: 1907, circa 1940, circa 1971

**WisDOT Certification**

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

- ☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

8/15/2013

Rebecca Burkel, WisDOT Historic Preservation Officer

Date

**State Historic Preservation Office**

In my opinion, the property:

- ☐ Meets the National Register of Historic Places criteria.  
☒ Does not meet the National Register of Historic Places criteria.

8/29/13

Jim Draeger, State Historic Preservation Officer

Date

**Comments (FOR AGENCY USE ONLY):**

*Not eligible - substantial addition is not in keeping with the historic character of the schoolhouse.*

Division of Historic Preservation  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706



Wisconsin Historical Society  
Determination of Eligibility Form

(Revised May 2013)

RECEIVED

AUG 21 2013

DIV HIST PRES

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

Property Name(s): Congregation Sinai Synagogue  
Address/Location: 8223 N. Port Washington Road  
City & County: Village of Fox Point, Milwaukee County Zip Code: 53217  
Town: Range: Section:  
Date of Construction: 1961-62, 2006

## WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☐ Meets the National Register of Historic Places criteria.  
☒ Does not meet the National Register of Historic Places criteria.

8/15/13

Rebecca Burkel, WisDOT Historic Preservation Officer

Date

## State Historic Preservation Office

In my opinion, the property:

☐ Meets the National Register of Historic Places criteria.  
☒ Does not meet the National Register of Historic Places criteria.

8/29/13

Jim Draeger, State Historic Preservation Officer

Date

## Comments (FOR AGENCY USE ONLY):

*Concur that the Synagogue should be reevaluated when the addition is older*

Division of Historic Preservation  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706



Wisconsin Historical Society  
Determination of Eligibility Form

(Revised May 2013)

RECEIVED  
AUG 21 2013  
DIV HIST PRES

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

Property Name(s): Phillips Petroleum Company Service Station  
Address/Location: 7575 N. Port Washington Road  
City & County: City of Glendale, Milwaukee County Zip Code: 53217-3420  
Town: Range: Section:  
Date of Construction: 1966-67

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

*Rebecca Burkel*

8/15/13

Rebecca Burkel, WisDOT Historic Preservation Officer

Date

State Historic Preservation Office

In my opinion, the property:

☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

*Jim Draeger*

8/29/13

Jim Draeger, State Historic Preservation Officer

Date

Comments (FOR AGENCY USE ONLY):

Division of Historic Preservation  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706



**Wisconsin Historical Society  
Determination of Eligibility Form**

(Revised May 2013)

WisDOT Project ID #: 1229-04-01WHS #: 12-0649/MT/OZ

RECEIVED  
AUG 21 2013  
DIV HIST PRES

Property Name(s): Johann Friederich & Catherine Hennings Farmstead  
Address/Location: 1143 Lakefield Road  
City & County: Town of Grafton, Ozaukee County Zip Code: 53024  
Town: 10N Range: 22E Section: 32  
Date of Construction: 1872 - 1949

**WisDOT Certification**

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

8/15/2013

Rebecca Burkel, WisDOT Historic Preservation Officer

Date

**State Historic Preservation Office**

In my opinion, the property:

☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

8/29/13

Jim Draeger, State Historic Preservation Officer

Date

Comments (FOR AGENCY USE ONLY):

Division of Historic Preservation  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706



Wisconsin Historical Society  
Determination of Eligibility Form

(Revised May 2013)

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/02

RECEIVED  
AUG 21 2013  
DIV HIST PRES

Property Name(s): Henry & Mary Hennings House  
Address/Location: 754 N. Port Washington Road  
City & County: Town of Grafton, Ozaukee County Zip Code: 53024  
Town: 10N Range: 22E Section: 29  
Date of Construction: 1884, circa 2000

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

*Rebecca Burkel* 8/15/2013  
Rebecca Burkel, WisDOT Historic Preservation Officer Date

State Historic Preservation Office

In my opinion, the property:

☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

*Jim Draeger* 8/29/13  
Jim Draeger, State Historic Preservation Officer Date

Comments (FOR AGENCY USE ONLY):

*The foundations of the barn and milk house are contributing.*

Division of Historic Preservation  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706

Wisconsin Historical Society  
Determination of Eligibility Form

(Revised May 2013)

WisDOT Project ID #: 1229-04-01

WHS #: 12-0649/MI/OZ

RECEIVED

AUG 21 2013

DIV HIST PRES

Property Name(s): Chalet Motel  
Address/Location: 10401 N. Port Washington Road  
City & County: City of Mequon, Ozaukee County Zip Code: 53092  
Town: Range: Section:  
Date of Construction: 1958, 2000-01

WisDOT Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for Determination of Eligibility:

☒ Meets the National Register of Historic Places criteria.  
☐ Does not meet the National Register of Historic Places criteria.

*Rebecca Burkel* 8/15/2013  
Rebecca Burkel, WisDOT Historic Preservation Officer Date

State Historic Preservation Office

In my opinion, the property:

☐ Meets the National Register of Historic Places criteria.  
☒ Does not meet the National Register of Historic Places criteria.

*Jim Draeger* 8/29/13  
Jim Draeger, State Historic Preservation Officer Date

Comments (FOR AGENCY USE ONLY):

*Not Eligible as an example of a 2-story motel property type, nor as a Swiss Chalet. Period of Significance is 1958. Major additions to 2 of the motel buildings in 2000/2004.*

Division of Historic Preservation  
Wisconsin Historical Society  
816 State Street  
Madison, WI 53706



Village of Whitefish Bay  
5300 N. Marlborough Drive  
Whitefish Bay, Wisconsin 53217

Phone: 414-962-6690

Fax: 414-962-5651

Steve Hoff, PE  
WisDOT Project Manager  
Wisconsin Department of Transportation  
141 N W Barstow Street  
Waukesha, WI 53187-0798

September 12, 2013

Subject: **Potential Effects of I-43 Reconstruction on North Shore Water Treatment Plant  
400 West Bender Road, Glendale**

WisDOT Project I.D. 1229-04-01  
I-43 North South Corridor Study  
(Silver Spring Drive to WIS 60)  
Milwaukee and Ozaukee Counties

Dear Mr. Hoff:

It is our understanding that Wisconsin Department of Transportation (WisDOT) is considering alternatives for widening I-43. Both remaining options would result in the reconstruction of Jean Nicolet Road which would require about 0.2 acres of right-of-way acquisition from the northeast edge of the water treatment plant. After reviewing WisDOT drawings at the September 11, 2013 Commission Meeting and conferring with the Plant Manager, the North Shore Water Commission representing Glendale, Fox Point, and Whitefish Bay, does not believe the contemplated alternatives would adversely affect the operation and maintenance of our facilities. It is also our opinion that the contemplated right-of-way acquisition will not impair the property's historic significance.

Please contact me if you have any questions.

Best Regards,



Daniel J. Naze, P.E.  
Chairman  
North Shore Water Commission



# I-43 North-South Freeway Corridor Study

## MEETING SUMMARY

Project ID: 1229-04-01

**Date of Meeting:** May 22, 2013

**Location:** Elderwood House, 6789 Elm Tree Road, Milwaukee

**Meeting Purpose:** Meeting with property owners to discuss potential project effects

**Prepared by:** Caron Kloser, HNTB Corp.

**Attendees:** Jim Morrissey, WisDOT  
Tom and Virginia Jenkins, homeowners  
Caron Kloser, HNTB Corp.

Jim Morrissey and Caron Kloser met with Mr. and Mrs. Jenkins to discuss the I-43 North-South Freeway project and to ask their views on potential effects to their home, which is listed on the National Register of Historic Places. The property is also a Milwaukee County Landmark. WisDOT currently has a 30-foot easement for a storm sewer pipe that outfalls to the Milwaukee River. The Department is still in the early engineering phase and anticipates that the storm sewer may need to be replaced, but it is undetermined at this time, pending more detailed engineering. However, the Department's goal is to maintain any needed improvements within the existing easement. The Jenkins' noted that Nicolet High School (NHS) recently purchased a 10-foot easement to the south of WisDOT's easement to install a storm sewer pipe to serve the high school campus immediately east of the home.

The Jenkins noted that as long as improvements stay within existing easements, they do not have concerns about the project impacting their property. Mrs. Jenkins noted there are apple trees and lilac bushes at the entrance to their property that they would like to keep undisturbed should there be future work on the property. As part of high school's storm sewer project, NHS is also replacing the asphalt driveway with gravel, which the Jenkins indicated is more consistent with the historic character of the property.

Action: Jim provided certified survey map of the property that indicates location of storm sewer easement to the Jenkins.

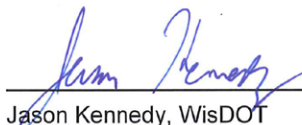
**Determination of No Adverse Effect**  
**WisDOT Project I.D. 1229-04-01**  
**WHS No. 12-0649/MI/OZ**  
I-43 North-South Freeway Corridor Study  
Silver Spring Drive – WIS 60  
Milwaukee and Ozaukee Counties

RECEIVED  
OCT 29 2013  
DIV HIST PRES

The proposed undertaking is the reconstruction of 14 miles of Interstate Highway 43 (I-43) between Silver Spring Drive in the city of Glendale and Wisconsin Highway (WIS) 60 in the village of Grafton. The project includes providing additional travel capacity on I-43; reconstructing or replacing existing structures over/under I-43; reconstructing and modernizing numerous interchanges; constructing a new interchange at Highland Road; reconstructing adjacent local streets; and enhancing freeway aesthetics. The Area of Potential Effects (APE) was defined to include all properties abutting I-43, adjacent to interchange areas, and along local roads where construction could occur. The following historic properties were identified in the APE:

- North Shore Water Treatment Plant, National Register-eligible
- Cloverbrook Estates Residential Historic District, National Register-eligible
- Elderwood/The House in the Woods, National Register-listed
- Phillips Petroleum Company Service Station, National Register-eligible
- Johann Friederich and Catherine Hennings Farmstead, National Register-eligible
- Henry and Mary Hennings House, National Register-eligible

As supported in the enclosed Documentation for Determination of No Adverse Effect (DNAE), WisDOT recommends that there will be no adverse effect to historic properties as a result of the project. In accordance with 23 USC 138(b), WisDOT, on behalf of FHWA, hereby informs SHPO that the DNAE may be used in considering whether a de minimis Section 4(f) finding is appropriate and SHPO concurrence with the DNAE serves as acknowledgement of this official notification.

  
\_\_\_\_\_  
Jason Kennedy, WisDOT

Environmental Analysis & Review Specialist

10/28/13  
\_\_\_\_\_  
Date

We concur with your current finding of "no adverse effect" for this project.

  
\_\_\_\_\_  
Kimberly Zunker Cook, SHPO

Dec 13 2013  
\_\_\_\_\_  
Date





## C-7 SECTION 4(F) COORDINATION

Village of Whitefish Bay –  
Craig Counsell Park ..... C-90

Nicolet High School  
District School Board..... C-91

North Shore  
Water Commission ..... (see Page C-86  
for Section 106  
coordination correspondence  
from village of Whitefish Bay)



## Village of Whitefish Bay

5300 N. Marlborough Drive • Whitefish Bay, Wisconsin 53217 • (414) 962-6690

Steve Hoff, PE  
WisDOT Project Manager  
Wisconsin Department of Transportation  
141 NW Barstow Street  
Waukesha, WI 53187-0798

September 13, 2013

Subject: **Potential Effects of I-43 Reconstruction on Craig Counsell Park and Port Washington Road, Glendale**

WisDOT Project I.D. 1229-04-01  
I-43 North South Corridor Study  
(Silver Spring Drive to WIS 60)  
Milwaukee and Ozaukee Counties

Dear Mr. Hoff:

Thank you for keeping us informed about the above I-43 reconstruction project. This responds to your request for input regarding the proposed I-43 reconstruction and potential impacts to Craig Counsell Park, located on the east side of Port Washington Road, immediately south of the Union Pacific Railroad, in Glendale. Most recently, I have discussed this request with you and Monica Wauck from WisDOT. As we discussed, Craig Counsell Park is a public park owned by the Village of Whitefish Bay and located within the City of Glendale.

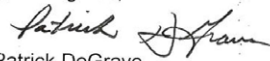
Monica explained that the park was evaluated as a 4f property during the environmental review process for the I-43 study. Previous conversations with Whitefish Bay Engineering staff indicated that this parcel may be used by the public for recreational purposes. Monica went on to explain that the impacts were eligible for a *de minimis* finding by the Federal Highway Administration (FHWA) because the impacts would not affect the use of the property. Monica also explained that the alternative to doing a *de minimis* was a more involved 4f process that would look at a broad range of avoidance and mitigation measures.

Further, it is our understanding that I-43 may be expanded from four lanes to six lanes at this location, with design options for widening to the east or west of the existing freeway. Under both options, Port Washington Road may be reconstructed from two to four lanes from Devon Street to Daphne Road. Because this section of Port Washington Road is a City of Glendale street, the City will make this decision due to its close proximity to the I-43 corridor, though, WisDOT is coordinating with the City of Glendale to evaluate impacts of Port Washington Road expansion as part of the I-43 Corridor Study's Environmental Impact Statement. This expansion would require about 0.05 acres of right-of-way acquisition where Karl Campus Drive intersects Port Washington Road in order for the new driveway to better match into Karl Campus Drive, which primarily provides access to the Jewish Community Center.

At this time, the Village of Whitefish Bay has no objections to the proposed reconstruction of I-43 and Port Washington Road, including the acquisition of right-of-way at the vicinity of the intersection with Karl Campus Drive. Further, it is our opinion that the right-of-way acquisition will not adversely affect the park's function. We understand that the public had an opportunity to comment on the potential impacts to the park at the most recent public informational meetings, held August 20<sup>th</sup> and 22<sup>nd</sup> of this year. Based on all of these considerations, the Village of Whitefish Bay concurs with the *de minimis* finding.

Please contact me if you have any questions.

Best Regards,

  
Patrick DeGrave  
Village Manager  
Village of Whitefish Bay



**Date of Meeting:** July 11, 2013

**Location:** Nicolet High School Library

**Meeting Purpose:** To discuss potential 4f impacts and process at Nicolet High School

**Prepared by:** Monica Wauck

**Attendees:** Mike Treazise (WisDOT), Mark Becherer (HNTB), Caron Kloser (HNTB), Monica Wauck (WisDOT), and Nicolet High School District School Board

Caron Kloser explained the purpose for meeting: to discuss the 4f process, the potential impacts to Nicolet's playing fields, and whether the Board would consider a de minimis finding instead of a full 4f process.

Caron began by reviewing the potential R/W impacts. In the worst case scenario, the south end of the playing fields on the east side would have .14 acres of impact. On the west side, there would be approximately .08 acres of impact. It was explained that WisDOT would do more engineering work to further minimize impacts.

Caron went on to explain that the impacts were eligible for a de minimis finding by FHWA because the impacts would not affect the use of the property. Caron further explained to the School Board that the alternative to doing a de minimis was a more involved 4f process that would look at a broad range of avoidance and mitigation measures. If the Board determined that a de minimis was appropriate, then they would need to review public comments received at the August 20<sup>th</sup> and 22<sup>nd</sup> Public Involvement Meetings. Then, the Board would submit a letter concurring with the de minimis finding.

There was also a brief discussion of the potential pedestrian access alternatives: tunnel, pedestrian bridge, or pathway.

Below is a summary of the questions and answers:

**How deep would the impact be in terms of feet on the west side?**

About 10 feet maximum. That would be the worst case scenario, and WisDOT will continue to work to reduce impacts.

**Why would Nicolet agree to a de minimis?**

Caron explained that Nicolet did not have to agree to the de minimis finding. Rather, the de minimis is a streamlined 4f process that requires less documentation.

**What are the impacts to the house at Green Tree and Nicolet?**

Mike Treazise explained that all the build alternatives relocate that house since that segment of Jean Nicolet Road is shifted west to accommodate a longer Green Tree structure.

**Nicolet is considering reconfiguring their tennis courts and football field (west side) to make it an official collegiate field that they could rent.**



WisDOT asked if there were any preliminary drawings or dimensions available. Nicolet is still in the conceptual stage. WisDOT reiterated that they would sit down with Nicolet and figure out how to minimize impacts and how to accommodate Nicolet's plans. WisDOT offered to place stakes out in the field so that Nicolet could see exactly what the impacts would be.

**In all the build alternatives, the level of the tennis fields becomes more level with highway. Won't that create more noise?**

Caron explained that we are just getting into noise analysis and that we should have those results soon. Noise walls would not require more R/W.

**Who would pay for the new tunnel or pedestrian bridge?**

Mike explained that WisDOT would work with Nicolet to arrive at an agreement.

**When would construction take place?**

Mike explained that given the funding process, 2020 would probably be the earliest.

**Is there an opportunity to talk about retaining walls to maximize space? Nicolet needs ability to have input on design. Nicolet is already below national standards for design and needs every square foot.**

WisDOT welcomes the opportunity. We want to design a freeway that accommodates Nicolet's future plans.

**Meeting Outcomes:**

- WisDOT and the Nicolet High School Facilities Manager will coordinate to minimize impacts and to discuss field reconfiguration.
- WisDOT will put stakes out so that Nicolet can see maximum impacts.
- WisDOT will meet with the Nicolet School Board again in September.
- Nicolet will include WisDOT in their upcoming Facilities Master Plan.



## **C-8 PM<sub>2.5</sub> CONFORMITY HOT SPOT ANALYSIS PROJECT SUMMARY FORM FOR INTERAGENCY CONSULTATION**

**EPA/FHWA Concurrence..... C-94**

**FTA Comments ..... C-96**

**PM Conformity Hot Spot Analysis  
Project Summary Form for  
Interagency Consultation ..... C-98**



## Wauck, Monica T - DOT

**From:** Trainer, Patricia - DOT  
**Sent:** Monday, March 03, 2014 8:52 AM  
**To:** Wauck, Monica T - DOT; Nag, Manojoy - DOT  
**Cc:** 'Bethaney.Bacher-Gresock@dot.gov'; McComb, Dwight; Trainer, Patricia - DOT  
**Subject:** FW: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

---

**From:** Leslie, Michael [<mailto:leslie.michael@epa.gov>]  
**Sent:** Monday, March 03, 2014 8:48 AM  
**To:** Trainer, Patricia - DOT  
**Subject:** FW: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

USEPA concurs with FHWA-WI's assessment of the information presented in the Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form that this project is not a "Project of Air Quality Concern" for transportation conformity purposes. We recommend that this project continues to be tracked through the NEPA process ensure that the assumptions in the summary form remain valid. This information needs to be presented to Wisconsin's interagency consultation group for a final determination.

---

Michael Leslie, P.E.  
U.S. EPA - Region 5 (AR-18J)  
77 W. Jackson Blvd.  
Chicago, IL 60604  
Phone: (312) 353-6680  
Fax: (312) 408-2266

---



---

**From:** [dwight.mccomb@dot.gov](mailto:dwight.mccomb@dot.gov) [<mailto:dwight.mccomb@dot.gov>]  
**Sent:** Thursday, January 30, 2014 11:30 AM  
**To:** [Patricia.Trainer@dot.wi.gov](mailto:Patricia.Trainer@dot.wi.gov)  
**Cc:** Leslie, Michael; [christopher.bertch@dot.gov](mailto:christopher.bertch@dot.gov)  
**Subject:** RE: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

Based on the information and analysis presented in the PM2.5 Project Summary Form it is FHWA's opinion that the I-43 North-South Freeway Corridor Project in Milwaukee and Ozaukee Counties could be determined to be a project not of local air quality concern for purposes of project level transportation conformity.

FHWA's preliminary opinion is based on the limited conceptual project information available early in the NEPA process as presented in this analysis. When the major design features have been established for the project alternatives this analysis should be reviewed, updated and evaluated through the interagency consultation process to support a final determination. The conformity rule also requires a proactive public involvement process that provides opportunity for public review and comment. Public comments pertaining to project air quality concerns must also be considered by the interagency group in making a final determination. This analysis and any ultimate determination is only for purposes of addressing transportation air quality conformity requirements under 40 CFR Part 93. The environmental process may identify project impacts that otherwise warrant a quantitative PM2.5 hot spot analysis.

Please contact me should you have any questions.

Dwight McComb  
Systems Planning & Performance Manager



FHWA Wisconsin Division  
525 Junction Rd, Suite 8000  
Madison, WI 53717  
608.829.7518

---

**From:** Trainer, Patricia - DOT [<mailto:Patricia.Trainer@dot.wi.gov>]  
**Sent:** Wednesday, November 27, 2013 10:26 AM  
**To:** McComb, Dwight (FHWA); Michael Leslie ([leslie.michael@epa.gov](mailto:leslie.michael@epa.gov)); Bertch, Christopher (FTA)  
**Cc:** Trainer, Patricia - DOT  
**Subject:** Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

Dwight, Michael and Christopher,

Attached please find the final PM 2.5 Conformity Hot Spot Analysis Project Summary form for Interagency Consultation for the proposed I-43 project.

The project team has made revisions to the report to incorporate changes based on your comments.

Please take a look and let me know if this meets your needs. I will then distribute the report to the entire interagency group.

Thanks for your earlier comments and continued participation.

Have a Happy Holiday.

Pat

<< File: I-43\_PM25Project Summary Form for Interagency Consultation\_20131125 (2).pdf >>

## Wauck, Monica T - DOT

**From:** Trainer, Patricia - DOT  
**Sent:** Monday, February 10, 2014 10:54 AM  
**To:** Nag, Manojoy - DOT; Wauck, Monica T - DOT  
**Cc:** Waldschmidt, Jay - DOT  
**Subject:** FW: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

---

**From:** [christopher.bertch@dot.gov](mailto:christopher.bertch@dot.gov) [<mailto:christopher.bertch@dot.gov>]  
**Sent:** Monday, February 10, 2014 10:23 AM  
**To:** Trainer, Patricia - DOT  
**Subject:** RE: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

Thanks Pat. FTA doesn't have any comments at this time.

Chris

Chris Bertch AICP | Community Planner  
 US DOT | Federal Transit Administration  
 200 West Adams #320 | Chicago IL 60606  
 312.353.3853

---

**From:** Trainer, Patricia - DOT [<mailto:Patricia.Trainer@dot.wi.gov>]  
**Sent:** Monday, February 10, 2014 7:30 AM  
**Cc:** [leslie.michael@epa.gov](mailto:leslie.michael@epa.gov); Bertch, Christopher (FTA); Trainer, Patricia - DOT  
**Subject:** RE: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

Good Morning:

Just checking in to see if based on Interagency Consultation your agency is planning to send something similar to FHWA's on the proposed I-43 PM 2.5 Conformity Hot Spot Analysis.

If you have any questions or need additional information please let me know. If there is anything we can do to help with the process, let me know that as well.

Hope to hear from you soon.

Regards,

Pat

---

**From:** [dwight.mccomb@dot.gov](mailto:dwight.mccomb@dot.gov) [<mailto:dwight.mccomb@dot.gov>]  
**Sent:** Thursday, January 30, 2014 11:30 AM  
**To:** Trainer, Patricia - DOT  
**Cc:** [leslie.michael@epa.gov](mailto:leslie.michael@epa.gov); [christopher.bertch@dot.gov](mailto:christopher.bertch@dot.gov)  
**Subject:** RE: Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

Based on the information and analysis presented in the PM2.5 Project Summary Form it is FHWA's opinion that the I-43 North-South Freeway Corridor Project in Milwaukee and Ozaukee Counties could be determined to be a project not of local air quality concern for purposes of project level transportation conformity.

FHWA's preliminary opinion is based on the limited conceptual project information available early in the NEPA process as presented in this analysis. When the major design features have been established for the project alternatives this analysis should be reviewed, updated and evaluated through the interagency consultation process to support a final determination. The conformity rule also requires a proactive public involvement process that provides opportunity for public review and comment. Public comments pertaining to project air quality concerns must also be considered by the interagency group in making a final determination. This analysis and any ultimate determination is only for purposes of addressing transportation air quality conformity requirements under 40 CFR Part 93. The environmental process may identify project impacts that otherwise warrant a quantitative PM<sub>2.5</sub> hot spot analysis.

Please contact me should you have any questions.

Dwight McComb  
Systems Planning & Performance Manager  
FHWA Wisconsin Division  
525 Junction Rd, Suite 8000  
Madison, WI 53717  
608.829.7518

---

**From:** Trainer, Patricia - DOT [<mailto:Patricia.Trainer@dot.wi.gov>]  
**Sent:** Wednesday, November 27, 2013 10:26 AM  
**To:** McComb, Dwight (FHWA); Michael Leslie ([leslie.michael@epa.gov](mailto:leslie.michael@epa.gov)); Bertch, Christopher (FTA)  
**Cc:** Trainer, Patricia - DOT  
**Subject:** Final I-43 PM 2.5 Conformity Hot Spot Analysis Project Summary Form

Dwight, Michael and Christopher,

Attached please find the final PM 2.5 Conformity Hot Spot Analysis Project Summary form for Interagency Consultation for the proposed I-43 project.

The project team has made revisions to the report to incorporate changes based on your comments.

Please take a look and let me know if this meets your needs. I will then distribute the report to the entire interagency group. Thanks for your earlier comments and continued participation.

Have a Happy Holiday.

Pat

<< File: I-43\_PM25Project Summary Form for Interagency Consultation\_20131125 (2).pdf >>

## PM Conformity Hot Spot Analysis Project Summary Form for Interagency Consultation

### REFERENCE

#### **Criteria for Projects of Air Quality Concern (40 CFR 93.123(b)) – PM<sub>2.5</sub> Hot Spots**

- (i) New highway projects that have a significant number of diesel vehicles, and expanded highway projects that have a significant increase in the number of diesel vehicles;
- (ii) Projects affecting intersections that are at Level-of-Service D, E, or F with a significant number of diesel vehicles, or those that will change to Level-of-Service D, E, or F because of increased traffic volumes from a significant number of diesel vehicles related to the project;
- (iii) New bus and rail terminals and transfer points that have a significant number of diesel vehicles congregating at a single location;
- (iv) Expanded bus and rail terminals and transfer points that significantly increase the number of diesel vehicles congregating at a single location; and
- (v) Projects in or affecting locations, areas, or categories of sites which are identified in the PM<sub>10</sub> or PM<sub>2.5</sub> applicable implementation plan or implementation plan submission, as appropriate, as sites of violation or possible violation.

#### **Links to more information:**

<http://www.fhwa.dot.gov/environment/conform.htm>

<http://www.epa.gov/otaq/stateresources/transconf/index.htm>





<b>Project ID#</b> ( <i>required</i> ) 1229-04-01				
<b>Interagency Workgroup Meeting Date</b> September 26, 2013				
<b>Project Description</b> ( <i>clearly describe project</i> ) <p>The Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT) will prepare an Environmental Impact Statement (EIS) for the I-43 North-South Freeway Corridor Study in Milwaukee and Ozaukee counties. The study area includes approximately 14 miles of the I-43 freeway from Silver Spring Drive in the City of Glendale (south limit) to WIS 60 in the Village of Grafton (north limit). Existing service interchanges in the I-43 corridor include Good Hope Road, Brown Deer Road, Port Washington Road, Mequon Road, and County C. A possible new service interchange at Highland Road in the City of Mequon is also being considered as well as full access at Port Washington Road.</p> <p>This segment of I-43 has high traffic volumes and outdated freeway mainline and interchange design. Improvements are being proposed to accommodate existing and future traffic demand, improve traffic flow and operations, and to address safety concerns. The 2035 Regional Transportation System Plan (Planning Report No. 49, Southeastern Wisconsin Regional Planning Commission, June 2006) calls for widening and/or other improvements to provide additional capacity in the I-43 corridor through Milwaukee and Ozaukee Counties.</p> <p>Milwaukee County is in non-attainment PM<sub>2.5</sub>, while Ozaukee County is in attainment.</p> <p>WisDOT has determined that the I-43 North-South Freeway Corridor is not a project of local air quality concern as the project will not create a significant increase in the number of diesel trucks. This conclusion is based on a review of anticipated land use patterns and future truck traffic volumes. The proposed build alternatives that alter access to and from I-43 may increase the pace of development, but land use type and intensity are expected to be consistent with planned land use in the study corridor. Other land use patterns along the corridor are expected to be consistent with patterns identified in SEWRPC's 2035 Regional Land Use Plan. Traffic forecasts indicate that the build alternatives are expected to re-direct diverted traffic currently using local streets back to I-43. The percent of truck traffic on I-43 would decline relative to increased volumes of other vehicles returning to I-43.</p>				
<b>Type of Project</b> Freeway Capacity Expansion study				
<b>County</b> Milwaukee & Ozaukee	<b>Narrative Location/Route &amp; Postmiles</b> The I-43 North-South Freeway Corridor study-area encompasses approximately 14 miles of I-43 from Silver Spring Drive in the City of Glendale (south limit) to WIS 60 in the Village of Grafton (north limit). (See Exhibit 1.) Other municipalities in the study area include the Villages of River Hills, Fox Point, and Bayside; the City of Mequon; and the Town of Grafton.			
<b>Lead Agency:</b> Wisconsin Department of Transportation				
<b>Contact Person</b> Steve Hoff, P.E. Project Manager	<b>Phone#</b> 262-548-6718	<b>Fax#</b> 262-521-5357	<b>Email</b> steve.hoff@dot.wi.gov	
<b>Hot Spot Pollutant of Concern</b> PM <sub>2.5</sub>				
<b>Federal Action for which Project-Level PM Conformity is Needed</b> ( <i>check appropriate box</i> )				
<b>Categorical Exclusion (NEPA)</b>	<b>EA or Draft EIS</b>	<input checked="" type="checkbox"/> <b>FONSI or Final EIS</b>	<b>PS&amp;E or Construction</b>	<b>Other</b>
<b>Anticipated Date of Federal Action:</b> Final EIS – June 2014; Record of Decision (ROD) August 2014				

**Project Purpose and Need (Summary):** *(attach additional sheets as necessary)*

The purpose of the proposed project is to address needed improvements to the study-area freeway corridor, consistent with local and regional transportation and land use planning objectives. The proposed I-43 North-South Freeway Corridor project will provide a safe and efficient transportation system to serve existing and future traffic demand while minimizing impacts to the natural, cultural and built environment to the extent feasible and practicable.

The need for the transportation improvements in the I-43 North-South Freeway Corridor is demonstrated through a combination of factors, including:

- Pavement, freeway design and geometric deficiencies – the freeway pavement has exceeded its life expectancy, freeway design and geometry do not meet modern design standards
- Safety – congestion and design deficiencies contribute to crashes. Crash rates in some portions of the corridor approach or exceed the statewide average crash rate for freeways
- Existing and future traffic volumes – Congestion exists today and is expected to continue to decrease traffic operations in the future.
- System linkage and route importance – The I-43 North-South Freeway Corridor is an important link south-central and eastern Wisconsin.

### Surrounding Land Use/Traffic Generators (especially effect on diesel traffic)

*Note: the study area includes developments north and south of the I-43 North-South Freeway corridor to account for other influencing land uses. The description below is based on WisDOT's review of existing and planned land uses at the regional, county and local level. WisDOT also interviewed local planning staff to supplement information on land use trends in the primary study area that includes the surrounding study corridor communities. A copy of the Ozaukee County future land use map (Exhibit 2) is attached for reference.*

**Milwaukee County.** The commercial areas within the Milwaukee County portion of the study area are located along the east-west arterials, Port Washington Road and at interchanges. Major generators are described below:

- Commercial uses in Milwaukee County include the Bayshore Town Center near I-43 and Silver Spring Drive, and community scale commercial districts, including the Brown Deer Shopping Center, River Point Shopping Center, Capitol Drive, Midtown and the former Northridge Mall/Granville Station area.
- Industrial uses on the southern end of the study area include the 30<sup>th</sup> Street Industrial corridor, Estabrook Corporate Park, Glendale Technology Center and the Riverworks area on the east side of the freeway. Other industrial clusters include the Teutonia Avenue and Mill Road areas and the Milwaukee Industrial Park on the city's northwest side. The Village of Brown Deer also contains several industrial businesses.

The Milwaukee County portion of the primary study area contains mature communities that are fully developed. Residential land uses will continue to comprise a large portion of land within the Milwaukee County portion of the primary study area.

According to local plans in Milwaukee County, no new commercial districts are planned and the existing commercial districts are not expected to change land use types. Local efforts are focused on maintaining and improving the existing commercial areas and filling vacant spaces where needed. The Milwaukee County portion of the primary study area has extensive existing industrial areas. Some infill industrial development is expected on Milwaukee's north and northwest side and in the village of Brown Deer.

**Ozaukee County.** The Ozaukee County portion of the study area can be characterized by established urban areas with adjacent tracts of undeveloped land. While several large lot subdivisions have been built in this area, a large portion of the area remains undeveloped or used for agricultural purposes. The most intense development occurs south of Bonniwell Road and around the WIS 60 interchange.

In Mequon, the commercial areas are located along Port Washington Road between County Line Road and Highland Road, in the town center area near Mequon Road and Cedarburg Road and the Thiensville Main Street district that extends north from the Mequon town center. Mequon is encouraging redevelopment in existing commercial uses along Port Washington Road south of Mequon Road. Mequon is in the process of evaluating the East Growth Area located west of I-43, east of the Milwaukee River, north of Highland Road and south of County C. The area is currently zoned for residential homes with a minimum of 5-acre lots and much of the land has remained undeveloped. The plan calls for single-family residential homes on ¾-acre lots to the west of Port Washington Road. To the east of Port Washington Road the city envisions a mixture of multifamily and commercial uses to the south of Bonniwell Road and a mixture of commercial and industrial uses to the north. To the west of the Milwaukee River between Highland Road and Pioneer Road, the city does not anticipate any changes to the existing five-acre residential zoning classification.

The Town of Grafton has some residential areas mostly located along Lake Michigan, but currently remains largely undeveloped with large tracts of land used for farming or open space. Open space is preserved by a conservation overlay zone, which is intended to protect natural resources, watercourses and flood-prone areas. According to local officials, the town has taken measures to prepare itself for development, although the intensity of development will be limited by a lack of sewer and water services now and in the future. The town does not have an agricultural preservation policy and its future 2035 land use plan does not show agricultural land uses. Although small scale farming is likely to continue, the town anticipates a large portion of land will transition to residential uses with a minimum of 1-acre lots. The town is also planning for some commercial districts near the I-43 corridor. The town's land use plan anticipates smaller scale commercial uses along the Port Washington Road corridor between County C and Lakefield Road. The land use plan also shows additional commercial development around the WIS 60

business district that has been established in the village of Grafton. This includes some commercial and business park uses on the east side of I-43 and a large area planned for medium and large scale commercial users in the northwest quadrant of I-43 and County V/WIS 32. A light industrial/warehousing area is planned on the west side of I-43 north of the planned commercial area. The town's land use plan shows a large industrial area to the east of I-43 and south of WIS 32. This area is mostly owned by the We Energies and is a fly ash disposal site. According to town officials, it is not likely that this area's land use will change within the 2040 timeframe. Other planned uses along the WIS 32 corridor to the east of I-43 include planned multifamily housing and a neighborhood serving commercial node.

The village of Grafton's population and business base has been expanding over the past decade. The residential areas include older neighborhoods and newer subdivisions. The main commercial districts in the village include:

- WIS 60 district – This is a fairly new commercial district that has established itself as the county's primary commercial shopping center. The WIS 60 business district contains a mixture of medium and large scale commercial uses including an Aurora Hospital, Costco and Target. This commercial district is likely to continue to attract new commercial developments over time. Some annexations of adjacent town lands, such as those noted above in the town of Grafton, are possible in this area if the village is petitioned by private developers.
- South Commercial District - This is a redevelopment district to encourage more residential development, including multi-family developments. The village has also been working to revitalize the downtown Grafton area which now contains a mixture of commercial uses and public amenities.

The village of Saukville is a fairly small community located to the north of Grafton. It currently contains a fairly compact residential land use pattern on the south and east sides of the community. A subdivision on the west side of the village has been platted, but only one lot has been sold. A business park and an industrial park are located on the north end of town. About 20 acres of land remain within the existing parks. The village's land use plan anticipates the business park could be extended to the west, although the extent of this would be limited by an environmental corridor. The industrial area could also be extended to the west and north in the future. The village's commercial area is located on the east and west sides of I-43 along the WIS 33 corridor. Several national retailers have located in this location including a Wal-Mart. Additional land is available for commercial uses along WIS 33, and the village zoning ordinance permits medium and large retailers. An office park is planned on the east side near the split between I-43 and WIS 57.

The city of Port Washington, which is east of Saukville, is an older community with a downtown area that attracts tourism. The city has been experiencing growth in recent decades. According to the city's 2035 Comprehensive Plan, urban land uses increased by about 386 acres between 2000 and 2007, which is a 21 percent increase. Residential growth is planned to the south and north and to some extent to the west side of the community. Allen Edmonds is located on the north side of the city and it has been expanding. The city has an existing industrial area on the south side. About 60 to 70 acres of new industrial land could be added to the park on the south in the future when sewer and water services are extended. About 100 acres of industrial land could be added on the north side, but this area would also require an extension of sewer and water.

Further north of Saukville and Port Washington, are the villages of Fredonia and Belgium, which are small rural communities with a stable residential base. Both communities have existing business/industrial parks that have available land for future development. Business development in these communities occurs at a slower pace compared to communities south of WIS 60. The slower business development trend in these communities is due, in part, to further distance to available labor pools and less direct access to I-43.

**Base Year: 2010**

The Base year annual average weekday traffic (AWDT) for year 2010 is 75,000. The average annual daily traffic (AADT) is 70,600.

**Opening Year: Build and No Build LOS, AADT, % and # trucks, truck AADT of proposed facility**

Year: 2025*	No-Build	Build	Delta
LOS	E-F	C-D	
AADT	91,600	104,650	13,050
% Trucks	16.0%	14.7%	-1.3%
Truck AADT	14,656	15,381	725

\*Data shown for the section of I-43 between the Good Hope (County PP) and Brown Deer Road (WIS 100) interchanges. This section was chosen to represent the corridor as it has the greatest change in truck volumes.

This analysis includes full-access at County Line Road and Highland Road.

Sources: Southeast Wisconsin Regional Planning Commission, WisDOT.

**RTP Horizon Year / Design Year: Build and No Build LOS, AADT, % and # trucks, truck AADT of proposed facility**

Year 2040*	No-Build	Build	Delta
LOS	F	C-D	
AADT	97,900	113,900	16,000
% Trucks	16.0%	14.7%	-1.3%
Truck AADT	15,664	16,741	1,077

\*Data shown for the section of I-43 between the Good Hope (County PP) and Brown Deer Road (WIS 100) interchanges. This section was chosen to represent the corridor as it has the greatest change in truck volumes.

This analysis includes full-access at County Line Road and Highland Road.

Sources: Southeast Wisconsin Regional Planning Commission, WisDOT. See Exhibit 3 for summary of 2025 data.

It has been shown that historical truck percentages vary little from year to year in Southeast Wisconsin corridors. Given that no new known industrial land uses are planned in the study area, it was decided to maintain the same truck percentages for the estimation of 2040 truck volumes based on this data.

**Describe potential traffic redistribution effects of congestion relief (impact on other facilities)**

The Southeastern Wisconsin Regional Planning Commission, or SEWRPC, completed an analysis of traffic diversion based on the 2035 Regional Transportation System Plan. SEWRPC utilized their travel demand model to track the volume of vehicles diverted from adjacent facilities to I-43. Impacted facilities include: US 45, US 41, WIS 145, and WIS 57. In the study area, approximately 3,500 to 13,000 vehicles per day (300 to 725 trucks per day) would redistribute to I-43. See the attached exhibit diagramming the diversion in year 2025 volumes of total vehicles and trucks. The same percentage of diverted trucks was carried forward to the year 2040 to generate the data shown in the table above. In both the Opening year and Horizon year, the analysis compared vehicle and truck data between the build and no-build scenarios. The trucks utilizing the I-43 corridor typically are "long-haul" trips that have origins and destinations beyond the study area. Therefore, they typically do not leave the corridor under congested conditions compared to other vehicles that have origins and/or destinations in the study area vicinity. As a result, when capacity is added to the I-43 facility, the resulting vehicle mix utilizing that capacity in the build scenario has a greater number of non-truck vehicles, thereby reducing the overall truck percentage.



**Comments/Explanation/Details** *(attach additional sheets as necessary)*
**Indirect Land Use Effects**

WisDOT conducted a detailed indirect effects analysis for the I-43 North-South Corridor study, which included review of local land use plans and policies, interviews with local planning staff and stakeholders, and hosting a focus group of public and private stakeholders to confirm and comment on study findings. Key findings of the indirect effects analysis on land use are summarized below.

The I-43 North-South Corridor build alternatives are expected to improve travel reliability and facilitate existing and planned development within the study area by improving the main transportation gateway to the communities and business districts it serves. The extent of this effect is expected to be much smaller in comparison to the original construction of I-43 in the 1960s because the transportation system that serves the study area is mature and already provides a great deal of transportation accessibility. Furthermore, annual population growth in the region is expected to remain stable at around 1 percent annually within the current 20-year planning horizon, which indicates that land use changes beyond what is planned at the local and regional level are not expected to occur. Indirect land use effects are also moderated by local land use plans and policies as noted below.

While Milwaukee County land use patterns are generally established, Ozaukee County land use in the study area has large tracts of undeveloped land. However, all communities in the Ozaukee portion of the primary study area have comprehensive plans and supporting development policies, community development departments, plan commissions and zoning regulations in place to promote an efficient growth pattern that is consistent with existing and planned public services and Ozaukee County's long range land use plan<sup>1</sup>. Lack of sewer and water limits the intensity of development in several areas including the town of Grafton and other townships in Ozaukee County.

Local communities in Ozaukee County also coordinate their land uses with SEWRPC's regional land use plans. Consistency among the local, county and regional plans is an effective way for governments to promote coordinated transportation and land use policies that will promote the most efficient land use patterns and preserve natural resources. SEWRPC considers local plans as part of its ongoing travel demand modeling efforts in the context of regional growth projections. According to SEWRPC, "the regional transportation plan is designed to serve the regional land use plan and is not a projection of current land use development trends toward further decentralization of population, employment, and urban land uses. Thus, implementation of the transportation system plan should promote implementation of the land use plan, which recommends a desirable pattern of future land use with respect to travel requirements"<sup>2</sup>.

WisDOT is considering constructing a new interchange at Highland Road in Ozaukee County, pending FHWA approval and local funding agreements with the city of Mequon. New interchange access would help facilitate the city of Mequon's plans for the East Growth Area described above. To implement the plan, the city would need to amend their land use plan and zoning code and extend sewer and water services. According to interviews with Mequon, a new interchange at Highland Road is not expected to change the density or the type of planned development within the East Growth Area. However, it is likely to speed up the pace of planned development. Planned uses would be controlled by local zoning and the city's development review process. In addition, the East Growth Area would occur even if the Highland Road interchange is not built because the area already has transportation access to the Port Washington Road corridor, which connects to the Mequon Road interchange on the south and the

<sup>1</sup> In 2008, the *Multi-Jurisdictional Comprehensive Plan for Ozaukee County: 2035* was approved. The plan was undertaken by Ozaukee County, 14 participating local governments, SEWRPC and University of Wisconsin-Extension.

<sup>2</sup> SEWRPC Planning Report No. 49: *A Regional Transportation System Plan for Southeastern Wisconsin: 2035*. June 21, 2006.

County C interchange on the north. This was confirmed with local planning staff. Most of the land to the west of the East Growth Area, and within close proximity to the new Highland Road interchange is already committed for existing residential subdivisions, preserved as public parks or owned by the Ozaukee Washington Land Trust. Therefore, the influence of the interchange is likely to be limited to the East Growth Area.

WisDOT is also considering a full access interchange to replace the existing partial interchange at County Line Road. A full access interchange is consistent with FHWA's regulations and policy to provide for all traffic movements at interchanges. A full access interchange would increase access to Port Washington Road and this would support the existing commercial areas and planned commercial redevelopment areas in Mequon and Bayside. However, this land use effect is not expected to be substantial because these commercial corridors already have nearby freeway access via the Mequon Road and Brown Deer Road interchanges. Plus, the land surrounding the interchange is fully developed primarily with residential land uses that are not subject to change.

Based on review of existing and future land use and transportation plans and WisDOT's indirect effects analysis, the I-43 North-South Corridor build alternatives could increase the pace of development planned in Ozaukee County, but are not expected to substantially change the type and intensity of land use that is currently planned in the study area. The traffic forecast is based on the long-range projection of land use identified in the SEWRPC 2035 Regional Land Use Plan. If the pace of development occurs at a faster rate than what is anticipated in the plan, the traffic forecast would still account the land use type and intensity, regardless of timing, and would thus be unchanged from what is presented in this summary.

Similar to the indirect effects, the I-43 North-South Corridor alternatives are expected to have a much smaller cumulative effect on land use patterns. The original construction of I-43 in Milwaukee and Ozaukee counties played a large cumulative role in the decentralization of development and jobs in the past. The land use patterns in Milwaukee and Ozaukee counties have developed around a mature transportation system that already has a great deal of transportation accessibility. Local comprehensive plans and supporting development policies are in place to promote an efficient growth pattern consistent with existing and planned public services and regional growth plans.

**Exhibit 1: I-43 North-South Freeway Corridor Project Limits**

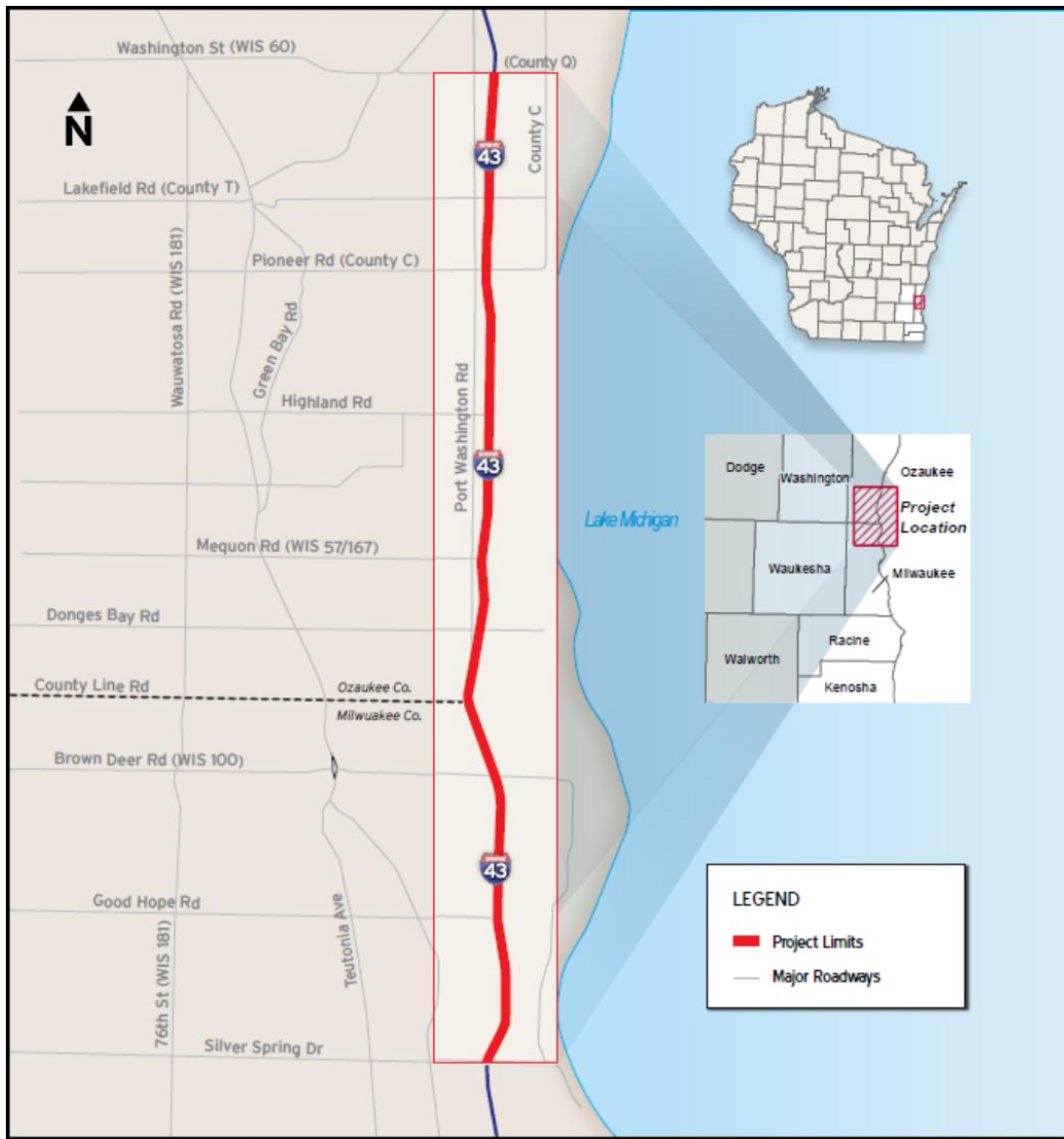
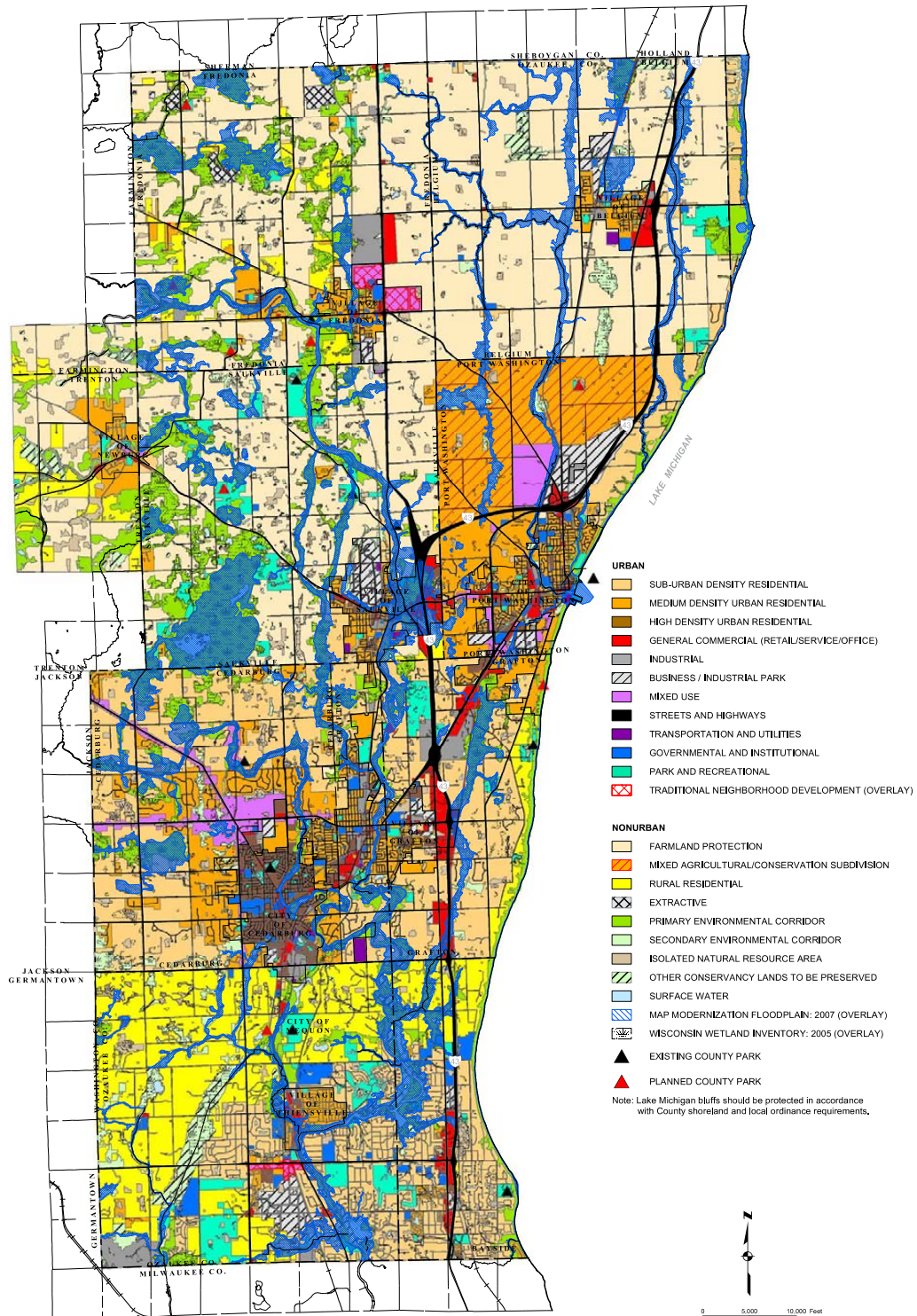


Exhibit 2

Map 96 (AMENDMENT 2013-01)

PLANNED LAND USES IN THE OZAUKEE COUNTY PLANNING AREA: 2035



Source: Local Governments, Ozaukee County, and SEWRPC.



